

EXHIBIT E

1 STATE OF GEORGIA GENERAL ASSEMBLY

2 THIRTY-FIFTH LEGISLATIVE DAY

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6 2019-2020 LEGISLATIVE SESSION

Monday, March 18th, 2019

7 Georgia State Capitol

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TRANSCRIPT OF HEARING ON HB 481 LIVING INFANTS
11 FAIRNESS AND EQUALITY (LIFE) ACT

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BEFORE THE SENATE

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SENATOR RENEE S. UNTERMAN, SPONSOR

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Reported from electronic media by
Elizabeth R. Hollingsworth, CCR B-1319

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1 March 18, 2019

2 CHAIRMAN DUNCAN: (In progress) The
3 Senate will come back to order. I'd ask that all
4 unauthorized persons exit the Chamber.

5 We'll now take up House Bill 481.
6 Before we read the caption, I'd like to remind us
7 to -- remind those in the gallery that the Senate
8 gallery is in place for the public to observe the
9 Senate and that shouting, applause, boos, hisses,
10 or loud conversation that disturbs the Senate is
11 prohibited.

12 Mr. Secretary, can you please read the
13 caption of House Bill 481?

14 MR. SECRETARY: House Bill 481 by
15 Representative Setzler of the 35th and others. A
16 bill to be entitled an act to amend Chapter 2 of
17 Title 1 of the OCGA, relating to persons and their
18 rights; to amend Article 5 of Chapter 12 of Title
19 16 of the OCGA, relating to abortion; to amend
20 Chapter 9A of Title 31 of the OCGA relating to the
21 "Woman's Right to Know Act"; and for other
22 purposes.

23 Mr. President, the Senate Committee on
24 Science and Technology offers the following
25 substitute to House Bill 481: A bill to be

1 entitled an act to amend Chapter 2 of Title 1 of
2 the OCGA, relating to persons and their rights, so
3 as to provide that natural persons include an
4 unborn child; to provide that such unborn children
5 shall be included in certain population-based
6 determinations; to provide definitions.

7 To amend Article 5 of Chapter 12 of
8 Title 16 of the OCGA, relating to abortion, so as
9 to provide definitions; to revise the time when an
10 abortion may be performed; to provide for
11 exceptions; to provide for the requirements for
12 performing an abortion; to provide for a right of
13 action and damages; to provide for affirmative
14 defenses.

15 To amend Chapter 6 of Title 19 of the
16 OCGA, relating to alimony and child support, so as
17 to provide a definition; to provide a maximum
18 support obligation for certain circumstances.

19 To amend Chapter 7 of Title 19 of the
20 OCGA, relating to parent and child relationship
21 generally, so as to provide that the right to
22 recover for the full value of a child begins at
23 the point when a detectable human heartbeat
24 exists; and for other purposes.

25 Mr. President, a minority report was

1 filed.

2 Mr. President, that concludes the
3 order.

4 CHAIRMAN DUNCAN: For what purpose does
5 the senator from the 41st rise?

6 SENATOR HENSON: Parliamentary inquiry,
7 Mr. President.

8 CHAIRMAN DUNCAN: State your inquiry.

9 SENATOR HENSON: What would be the
10 proper time to raise a point of order that House
11 Bill 481 which has a tax implication due to a tax
12 credit and other reasons would need a fiscal note?

13 CHAIRMAN DUNCAN: The time would be now
14 to raise that inquiry.

15 SENATOR HENSON: Point of order,
16 Mr. President.

17 CHAIRMAN DUNCAN: State your point of
18 order.

19 SENATOR HENSON: HB 481 requires a
20 fiscal note, and I request that that be placed on
21 the desk.

22 CHAIRMAN DUNCAN: Senate will stand at
23 ease for a moment while the Chair considers.

24 (Proceedings in recess.)

25 CHAIRMAN DUNCAN: The Senate will come

1 back to order. Thank you for your patience.

2 The Chair's prepared to rule. The
3 immediate effect of the bill itself does not have
4 significant impact on the anticipated expenditure
5 level of the State. As such, Senate Rule 3.1.4
6 and OCGA 28-5-42 does not apply.

7 The Senate may now proceed.

8 SENATOR HENSON: Parliamentary inquiry.

9 CHAIRMAN DUNCAN: State your inquiry.

10 SENATOR HENSON: Would it be
11 appropriate at this time to challenge to decision
12 of the Chair? I feel that it is quite certain
13 this bill has significant financial impact.

14 CHAIRMAN DUNCAN: It would be
15 appropriate.

16 The Chair has ruled that the immediate
17 effect of the bill itself does not have
18 significant impact on the anticipated expenditure
19 level of the State.

20 The question is: Shall the ruling of
21 the Chair be sustained?

22 All those in favor of the Chair, vote
23 yea. Opposed, nay. The secretary will unlock the
24 machine.

25 For what purpose does the senator from

1 the 45th rise?

2 SENATOR UNTERMAN: Parliamentary
3 inquiry.

4 CHAIRMAN DUNCAN: State your inquiry.

5 SENATOR UNTERMAN: Is it not true that
6 we're asking for an upvote for a green vote on
7 this particular motion?

8 CHAIRMAN DUNCAN: I'm certain the
9 senator knows of what she speaks.

10 Green vote sustains the ruling of the
11 Chair.

12 SENATOR JORDAN: Parliamentary inquiry.

13 CHAIRMAN DUNCAN: The Chair recognizes
14 the senator from the 6th. For what purpose do you
15 rise?

16 SENATOR JORDAN: Isn't it true with
17 respect to this bill --

18 CHAIRMAN DUNCAN: For what purpose do
19 you rise?

20 SENATOR JORDAN: Parliamentary inquiry.

21 CHAIRMAN DUNCAN: State your inquiry.

22 SENATOR JORDAN: Isn't it true that
23 with respect to this, we've just learned from
24 legislative counsel that this will impact Medicaid
25 programs and every other program in this state and

1 also costing over \$20 million with respect to tax
2 exemptions?

3 CHAIRMAN DUNCAN: I believe that's for
4 each and every senator to determine on their own.

5 For what purpose does the senator from
6 the 48th rise?

7 SENATOR ZAHRA: Inquiry.

8 CHAIRMAN DUNCAN: State your inquiry.

9 SENATOR ZAHRA: Isn't it true that the
10 sponsor on the House side of this bill testified
11 before the Committee that this would cost 10 to
12 \$20 million?

13 CHAIRMAN DUNCAN: I'm sure the senator
14 knows of what she speaks.

15 On the appeal of the ruling of the
16 Chair, the yeas are 30. The nays are 14. And the
17 ruling of the Chair is sustained.

18 At this time, the Chair would like to
19 recognize the senator from the 45th to speak to
20 House Bill 481.

21 SENATOR UNTERMAN: Thank you,
22 Mr. President.

23 I appreciate the debate already
24 beginning. I can see how it's going to work out.
25 Look forward to a good debate.

1 Courage. Courage. Much has been
2 documented in history books about men having
3 courage, especially valid documented war stories
4 about men in the battlefield who were willing to
5 sacrifice their own life to protect their own
6 families, their own country. Many soldiers have
7 died because of their bravery, and we thank all of
8 those who have served or currently serve. Your
9 courage is appreciated.

10 Today I want to talk about another kind
11 of courage. Courage that is not just courageous,
12 just a different type of courage but equally bold.
13 It is the courage of motherhood.

14 My daddy always told me I was special.
15 I was always a daddy's girl. He taught me hunting
16 and fishing, competitiveness as an athlete, and
17 most importantly strength to endure anything.

18 My mama always told me I was different.
19 I could never figure it out. I bet y'all can't
20 either. Why was my daddy so encouraging but my
21 mama not so such? She knew I was different. She
22 had raised five kids and multiple grandchildren.
23 She knew in her heart, Renee is different.

24 My mother knew I was different than my
25 sister. I knew when I became a teenager that my

1 mama was right. She explained it to my dad, Renee
2 has female trouble. Back then you didn't talk
3 about reproductive health like we are today. Just
4 female trouble in the Old South. And some of
5 y'all probably say that now. It's just the way it
6 was back then.

7 When I was 18 years old, I had my first
8 surgery to remove a ruptured ovarian cyst and also
9 had a large, very large benign tumor on it. I had
10 two subsequent abdominal surgeries. Then when I
11 was just 22 years old, I had a total abdominal
12 hysterectomy.

13 I quit college. I was devastated. I
14 was barren. The rest of my life lay before me as
15 a woman with no children and no hope. And y'all
16 know, everyone in here, how much I adore children.
17 And it was my goal and my dream to become the best
18 mother ever.

19 The worst part lay before me, and I had
20 no idea. I was going through menopause because I
21 was not placed on hormone replacement therapy. I
22 suffered depression. My hair fell out. I looked
23 emaciated. I was only 25 years old, but I looked
24 50 years old.

25 Fortunately when I was 28 years old, I

1 finally got help. I met an endocrinologist who
2 took me off the roller-coaster ride. He started
3 me on hormone replacement therapy.

4 And now -- and I know I'm going to cry,
5 and I'm sorry if I cry. And now the shining light
6 at the end of the tunnel and why I am
7 passionately, passionately compelled to be
8 pro-life and why I have been a consistent advocate
9 for more and better healthcare for women unlike
10 the healthcare that I had. I have seen courage,
11 courage eyeball to eyeball.

12 It must, it must rival any battlefield
13 courage that men talk about. It is the ability of
14 one mother to hand over their tiny swaddled
15 brand-new newborn and essentially let go, let go
16 giving life to another mother, a mother who craves
17 life, who is awaiting another heartbeat to
18 cherish, to love, and give every ounce of energy
19 for that newborn to have a better life. The
20 adoptive mother witnesses courage, strength, and
21 dignity from the birth mother.

22 Y'all know I'm going to cry when I talk
23 about my kids. It is the story of Zach, who's
24 name is Zechariah, and Rachel, who is Raheel. All
25 of you who know about them because you know

1 they're the love of my life.

2 Zach was a closed adoption. I never
3 knew his 16-year-old mother who gave birth on an
4 airforce base. Zach was born four weeks'
5 premature, had failure to thrive, and had low
6 birth weight. Within a month of when I brought
7 him back home, I had to take him back to Eggleston
8 Hospital where he stayed for a while. A special
9 needs' child his whole life.

10 I will never forget getting on the
11 Delta plane. I cried for four hours home. And
12 the pilot, everybody on the plane knew what was
13 going on, that I was a newborn mother. And when I
14 got off the plane, the pilot announced -- he said,
15 baby Zach is home. He let me get off the plane
16 first, and everybody on the plane clapped. I
17 still have Zach's Delta wings. They're on a satin
18 heart pillow that I keep on my bed.

19 Rachel was an open adoption. Knowing
20 that birth mother and going on the journey with
21 her during her pregnancy was completely different.
22 Listening to the heartbeat and knowing that
23 heartbeat was going to be mine, there is
24 absolutely no words that can explain that elation.

25 Being in the delivery room and watching

1 the sacrifice that birth mother was enduring, and
2 then the next morning the birth mother handed me
3 that bundled swaddle of joy, of pureness. She
4 cried. I cried. We cried together. The blanket
5 was wet with tears. Tears of sadness. Tears of
6 joy. Tears of fear. Tears for the future of
7 Rachel. Courage to let go. Courage to assure a
8 better life. And that's the same courage that I
9 began with. The courage to let go.

10 I've never told my personal story.
11 I've told all of y'all about Zach and Rachel, but
12 this isn't about me. This is about women in their
13 personal journey. Sometimes sadness, sometimes
14 tragedy, but sometimes joy. But one thing for
15 sure, one thing for sure because we share one
16 common, unique trait; women have that inner
17 strength. We have that inner courage. We have
18 that inner resilience. And we have that ability
19 to muster courage when we have to. And I have to
20 tell you it's taken me a lot to get up here and do
21 this.

22 There are thousands of women in Georgia
23 who possess courage when it comes to the gift of
24 life in their womb. One of them is a woman named
25 Kristen from Madison, Georgia. She was going to

1 come today and sit in the gallery with me, but
2 y'all know what happened. She can't find a
3 babysitter.

4 Kristen first heard her child's
5 heartbeat when she became pregnant with baby Cam
6 four years ago. When she was offered the chance
7 to listen to Cam's heartbeat and see her photos in
8 utero, Kristen knew her child was a precious life,
9 a gift from God.

10 Sadly when seeing her doctor 13 weeks
11 later, her child was diagnosed with a rare
12 deformity that produces an abnormal, small brain.
13 Kristen was told her baby probably would never
14 make it to birth, let alone live many days outside
15 the womb. But Kristen had faith and courage. She
16 said, who am I to say that Cambry couldn't do what
17 any other child can do and live? And that's what
18 I said about Zach. So she trusted God and
19 rejected every call for an abortion from her
20 friends, from her obstetrician, from her
21 specialist.

22 No one, no one had any hope for a child
23 with microlissencephaly, which is as debilitating
24 as cerebral palsy, but Kristen did. Today Cambry
25 is not only still with us but a joy to Kristen's

1 life. They celebrate every day and have with Cam
2 despite the fact that she was born with a tiny
3 brain and is physically and developmentally
4 delayed. She is perfect. She is perfect just the
5 way she is, Kristen says.

6 Now, that's courage. A mom who heard a
7 heartbeat was overjoyed with love and has a
8 special needs' child that is making a difference
9 in one couple's life.

10 That, my colleagues, is why we as
11 Georgians are not like New York or Virginia. We
12 will not throw away these children who are not
13 perfect because all children are perfect in the
14 eyes of God.

15 Kristen, I want to thank you. I know
16 you're watching from home on the live stream.
17 And, yes, you are one of those courageous ones
18 giving so much to take care of the child that you
19 love.

20 I want to thank all the women who have
21 taken the time to call or write, and there's been
22 quite a few on both sides of the issue. But let
23 me just start out by saying, thank you. Thank you
24 to the police officers that are in the room. I
25 know we have the Georgia State Patrol, and we have

1 the Capitol police. They've been here with us
2 every step of the way this session, and we
3 appreciate you every single day.

4 We had public testimony with 64
5 individuals entered into the Science and
6 Technology Committee records in a four-and-a-half
7 hour Senate hearing. It is very much appreciated.
8 Many folks drove a long ways to come to the
9 Capitol for the very first time because I asked
10 them -- I didn't ask them to come. They just
11 came.

12 But what I want you to know -- and
13 there's people watching out there now in the
14 halls -- this is the people's building. It's your
15 beautiful building, and we're glad you came no
16 matter what side of the aisle that you're on.

17 The Living Infants Fairness and
18 Equality Act provides findings by the General
19 Assembly that the State of Georgia recognizes the
20 benefits of providing full, legal recognition of
21 an unborn child above the minimum required federal
22 law. The bill defines that a natural person -- a
23 natural person is any human being including an
24 unborn child. Detectable human heartbeat is
25 described as the steady and repetitive, rhythmic

1 contraction of the heart within the gestational
2 sac.

3 Personally, personally I know about the
4 heartbeat as a former cardiovascular nurse. I've
5 been in those hospital rooms when the heartbeat
6 stops, unfortunately many, many times holding a
7 loved one's hand. Every time it gave me a better
8 appreciation of life and the courage to defend the
9 life of the unborn child.

10 This bill includes four exceptions: a
11 medical emergency if the probable gestational
12 period is at 20 weeks or less; the pregnancy is
13 due to incest or rape, and a police report has
14 been filed alleging the same; or if a physician
15 determines the pregnancy is medically futile.
16 I've had many people write to me about that
17 question, and that is included in the bill.

18 Medical aid must be rendered to the
19 child if the abortion results in a child capable
20 of sustained life. The bill requires that all
21 abortions be performed by a licensed physician,
22 and any abortion after the first trimester must be
23 performed in a licensed hospital, ambulatory
24 surgical center, or abortion facility.

25 Any woman subject to an abortion where

1 the physician or facility violated these laws can
2 recover for damages in civil action affirmative
3 defenses from prosecution for licensed physicians,
4 nurses, pharmacists, and physician assistants
5 providing care which results in accidental or
6 unintentional injury or death of an unborn child.

7 The bill further provides an
8 affirmative defense from prosecution for women
9 that sought an abortion who reasonably believe
10 that an abortion was the only way to prevent a
11 medical emergency. The bill provides recovery for
12 direct medical expenses and pregnancy-related
13 expenses from the father.

14 Children in the womb also qualify as a
15 dependent minor for tax purposes. This is much
16 like the tax credit for a live birth.

17 The LIFE Act also updates something
18 that I'm very proud of, and I talked about this at
19 the beginning of the session. Fortunately, I
20 helped write "The Woman's Right to Know." And it
21 took us almost a year working with Department of
22 Public Health and then Department of Human
23 Services to be able to formulate and publish this
24 book. And I think it did a great job. It's been
25 handed out to not hundreds but thousands of

1 people.

2 The provisions of the LIFE Act are
3 effective January 1st, 2020.

4 Y'all excuse me. I would like to
5 address some of the issues that I have repeatedly
6 heard in the last few weeks. First, yes, yes,
7 Georgia is one of the lowest ranking states in the
8 nation for infant and maternal mortality. I only
9 wish the critics that are out there in the hall
10 would work as hard as we have to improve these
11 statistics like the Senate Health and Human
12 Services and the House Health and Human Services
13 Committee.

14 And also let's don't forget about
15 Governor Nathan Deal and First Lady Sandra Deal
16 and what they did before they left. Fortunately,
17 fortunately now we have a new governor, Brian
18 Kemp, whose mission is also to help Georgia
19 families. Thank goodness for Governor Kemp for
20 your commitment. During the campaign, we all say
21 things on the campaign; but now it's boots on the
22 ground. Boots on the ground improving infant and
23 maternal mortality rates.

24 In 2016 -- and some of y'all were here,
25 and some of you went with me -- the National

1 Conference of State Legislatures, the National
2 Governors Association, the American Academy of
3 Pediatrics, the National Academy of State Health
4 Policy, the Association of Maternal and Child
5 Health Programs, and other groups -- I couldn't
6 even write them all down -- targeted Georgia and
7 other Southern states with equally dismal
8 statistics.

9 We were targeted. We knew we were
10 targeted. We were glad we were targeted. We
11 wanted to improve. We developed a statewide plan,
12 and it was called Improving Quality and Access to
13 Care in Maternal and Child Health. The Department
14 of Public Health, legislators, and various
15 institutions in Georgia participated.

16 We are on a mission. We started that
17 mission years ago, but we're still -- and, yes, we
18 are making steady improvements in changing our
19 healthcare delivery systems and infrastructure.
20 We've also consistently added -- and I
21 purposefully have spent the last week, and I want
22 to thank the Senate Budget Office. In the last
23 five years, millions of dollars have gone into
24 family, women, and infant health programs.

25 So I went through the budget -- and

1 you're welcome. You're welcome. I went through
2 five years' worth of the budget. And I want you
3 -- because there's been so much criticism about
4 this -- to understand how much money we've
5 actually put into the budget and how hard we're
6 working. This is just from the 2019 budget.
7 Women's health, family planning programs -- I
8 heard from lots of women who said, why don't you
9 put more money into contraceptives and family
10 planning. We put in \$15,772,580 in the 2019
11 budget.

12 Family planning program offer
13 reproductive healthcare services designed to
14 provide women's support with planning when to have
15 children, reducing unintended pregnancies,
16 determine effective birth control methods and
17 improving family well-being, maternal mortality,
18 funds for rural birthing facilities for the
19 purpose of implementing perinatal, quality care
20 improvement initiatives to improve maternal and
21 neonatal outcomes in Georgia.

22 I'm going to go down the list, and I
23 want you to listen. It's remarkable how much
24 money. Injury prevention: \$550,000 in the 2019
25 budget. This purchases equipment such as child

1 safety seats, bike helmets, smoke detectors, and
2 other things. I can't even read them all.

3 Babies Can't Wait. Everybody's heard
4 about Babies Can't Wait: \$24,973,000 provides a
5 coordinated, comprehensive, and integrated system
6 of care for infants and toddlers with special
7 needs just like that baby we were just talking
8 about. Children Medical Services: \$12,680,030,
9 families caring for children with special care
10 needs. Children First. Children First
11 facilitates early identification of at-risk
12 children and links them with early intervention
13 services.

14 And my favorite because this is what
15 Zach suffered from, autism. In this year's
16 budget, as you know, we have consistently,
17 consistently funded autism: \$1,614,000, early
18 identification screening, diagnosis, early
19 intervention, and family support for children
20 suspected of having or diagnosed with autism
21 spectrum disorder.

22 Home visiting: \$11 million. Genetic
23 sickle cell, the minority parties always lobbies.
24 And thank goodness, thank goodness you do lobby
25 for that, but \$2,661,000. And I put that money in

1 the budget to provide medical genetic services
2 that include evaluation, treatment, and disease
3 management for children diagnosed with heritable
4 disorders.

5 Infant and child oral health:
6 \$3,479,000. Perinatal maternal health:
7 \$2,194,000. Perinatal services are focused on
8 health of the women and babies before, during, and
9 after birth.

10 And I can tell you one of the best
11 experiences I ever had was going to Albany,
12 Georgia, about five years ago, I think it was, and
13 I went to the very first Pregnancy Centering
14 Program in the state of Georgia. We put it in
15 Southwest Georgia because we knew that was the
16 highest incidence of infant and maternal
17 mortality. And I can tell you that was the pilot
18 program. And guess what? We've expanded that
19 program. It is so successful. I actually went
20 through the program with a group of pregnant
21 women.

22 Regional tertiary care centers:
23 \$1,578,000. Comprehensive Child Health: \$9
24 million. So for the 2019 budget, just this budget
25 alone, \$90,896,944.

1 But I want to tell you about some other
2 money. And I hate to be talking about money, but
3 this is what the critics kept repeatedly bringing
4 up, we're not doing anything. The OBs, the OBs
5 that are out in the hall. The Senator from
6 Bainbridge from the 11th, he always helps with the
7 ob-gyn residency program. Over five years, we've
8 put in \$1 million for that program.

9 The FQHCs, everybody in this room wants
10 an FQHC in their region. We have expanded them.
11 We have put in \$3.5 million. Medicaid add-on
12 payment for newborn delivery in rural counties.
13 This is the OBs who said, we can't even turn the
14 lights on. We're going to quit seeing the
15 Medicaid babies. We can't even keep our office
16 doors open.

17 So what did the State do? The State
18 stepped in. The State stepped in, and we
19 reimbursed them at a higher rate in these rural
20 counties. And that accounted for \$1.3 million.
21 Medicaid reimbursement for evidence-based group
22 perinatal care, \$500,000 in 2019.

23 So as you can see, the list goes on and
24 on. I mean, I could have gone into Child Welfare
25 Reform. I could have gone into the literacy

1 program. There's no way. And thank goodness,
2 like I said, Governor Deal and now Brian Kemp,
3 he's stepping up to the plate. We're all
4 elevating these services together, and we need to
5 be very proud of it. We've worked hard, and we're
6 going to work harder. And we are committed to
7 these women with accessed care and keeping these
8 babies alive. So I'm going to show you five
9 years. I went back five years. In five years, it
10 totaled \$117 million.

11 The second criticism I've heard was the
12 number of OBs leaving Georgia. Well, let me tell
13 you, the OBs aren't going to rural Georgia.
14 They're not going to rural Georgia. You want to
15 know where the OBs go? And I don't blame them.
16 They go where there's a reimbursement stream.
17 They go to Roswell. They go to Alpharetta. They
18 go to Marietta. They go to Lawrenceville, and
19 they go to Fayetteville because that's where they
20 get an insurance reimbursement. They do not go
21 down to Dr. Karen Kinsell who works in Clay County
22 in the 1960s Tasty Freeze. They aren't going down
23 there to help Dr. Kinsell. They're not going down
24 there.

25 And, lastly, because I know we're going

1 to go down this rabbit hole. I know we're going.

2 I'm waiting to go down the rabbit hole with you.

3 The Medical Association of Georgia sent out a
4 letter. Said they opposed this legislation. Let
5 me tell you, they've opposed me on a lot of

6 things. And you know what? By golly, I'm glad
7 they have opposed me on a lot of things because
8 you know why? I'm standing up for the patient.

9 I'm standing up for the consumer.

10 And if I have to get on top of this
11 building, on top of this gold dome and dance up
12 and down every day for the consumer, you better
13 believe I'm going to do it. And I have fought
14 them tooth and nail and so has the senator from
15 Rome about surprise billing. And everybody in
16 this room knows what surprise billing is.

17 So does it affect me that the Medical
18 Association of Georgia put out this letter?
19 They've put out letters on me before, but it's
20 because I stand up and you stand up for the
21 consumer. And I'm proud to stand with you and to
22 stand collectively. That's a good thing.

23 The other thing they opposed me on --
24 and this is my pet topic. There's over 170,000
25 nurses in the state of Georgia; 140,000 registered

1 nurses; 32,757 licensed practical nurses; and the
2 nurses that I'm most proud of, the nurses that are
3 handing out those contraceptives in those public
4 health departments, there's 811 RNs in the public
5 health department; 174 LPNs; and most importantly,
6 133 advanced-practice registered nurses that these
7 physicians that put the letter on the desk, have
8 held them back.

9 Because they go to your schools. They
10 go to Augusta. They go to Macon. They go to
11 Mercer. They go to Atlanta. They go to Brenau.
12 I think there's about 13 nursing schools in the
13 state of Georgia. Emory University produces some
14 of the best APRNs, nurse midwives, and they're
15 held back. They're held back by that same group
16 that put that letter on your desk because they
17 don't want to expand their scope of practice.

18 And you talk about access to care. You
19 can talk about access to care all you want. They
20 are nurses out there that will go to work in these
21 rural areas. But guess what? They're held back.
22 They're held back and told not to go there. So we
23 can go down that rabbit hole. We'll go down that
24 rabbit hole I'm sure in a few minutes.

25 So I'm going to close out. And I want

1 to tell you there's a few changes. Everybody says
2 they don't like this bill. Some people say they
3 don't like it. In the minority party, they don't
4 like this bill.

5 Well, guess what? When this bill came
6 over from the House -- guess what? When it came
7 over to the Senate -- we're pretty smart cookies
8 over here, aren't we? We refined, and we changed
9 the bill just like we do on multiple bills that
10 come over. And just like the bills that go over,
11 even though sometimes they won't even call our
12 bills up -- but we changed the bill.

13 In the Senate, Science and Technology,
14 we added definitions and made changes throughout
15 the House-passed version to reflect the detectable
16 human heartbeat standards. The House used the
17 terminology human heartbeat.

18 The Committee removed law enforcement
19 agency access because they're going to talk about
20 criminalization, access to health records, and
21 maintains that district attorneys have access to
22 those records. When it came over from the House,
23 it said law enforcement agency. We went back to
24 the existing law, and we added just one small term
25 about residing in the county in which it was

1 filed.

2 The Committee also added something that
3 I was very proud to change, the word -- I believe
4 in the original bill, it talked about child
5 support. I know when I adopted the second child,
6 that there was a lot of medical expenses. It
7 wasn't the shelter over the head or the food that
8 you eat. What it was, was you had to buy perhaps
9 new clothing. Your feet may swell. You had to
10 buy new shoes. And that's the whole purpose of
11 that.

12 So with that -- I think there was a
13 couple of other minute changes. But with that,
14 Mr. President, if I can just get a Kleenex and
15 clean my glasses just a little bit so I can see
16 better, I'll answer questions.

17 CHAIRMAN DUNCAN: Senator, you have no
18 questions.

19 SENATOR UNTERMAN: Thank you.

20 Thank you very much. And I'm sure
21 there's going to be more debate, and I'll be glad
22 to close out the bill. And I appreciate y'all's
23 attention. Thank you very much.

24 CHAIRMAN DUNCAN: Thank you, Senator.

25 The Chair would like to recognize the

1 senator from the 55th to speak to the measure.

2 SENATOR BUTLER: Thank you,
3 Mr. President and Members of the Senate.

4 I come to speak to you today to voice
5 my opposition to House Bill HB 481. I know many
6 of you know me. You know me as a Democrat. You
7 know I am the chairwomen of the Senate Democratic
8 Caucus. You know me as a senator from DeKalb
9 County. Some of you may even know me from when I
10 worked in Washington, DC.

11 You might not know me as a woman. So
12 let me just elaborate. I am the third child of
13 six. I was born in 1941 in Daytona Beach,
14 Florida. My father was in the dry-cleaning
15 business which meant in those days, he was a
16 businessman. We were considered a middle class
17 family to the larger community. In the black
18 community, we were viewed as being rich. My
19 parents were able to provide everything we needed
20 even if we didn't have everything we wanted.

21 I had a loving family even if my
22 parents were at times strict, especially on me.
23 As a girl growing up in the 1940s and 50s, I
24 learned about sex from my peers, from my friends
25 talking about what we heard or what we read about.

1 There was no sex talk in my family. Certainly my
2 mother told me a few things like keep your dress
3 down, and keep your legs closed; but the
4 information didn't go much farther than that.
5 People didn't openly talk about sexuality, not
6 even within the family. It was totally taboo.

7 When I was in high school, a young
8 friend and classmate found herself in a scary
9 position. She was pregnant, and she was
10 desperate. With few options available, she took
11 matters into her own hands. My friend lived in
12 the projects and met her fate with a hanger. Both
13 she and her baby died. When they found her, the
14 baby lie dead inside of her.

15 By 1973, having been married twice, I
16 was 35 years old, married with two children of my
17 own. I thought my family was complete. But there
18 weren't many options for birth control available.
19 A decade earlier in 1965, married couples were
20 given the right to use birth control. In a court
21 ruling, it was protected in the US Constitution.

22 In 1968, intrauterine devices, better
23 known as IUDs, had come on the market. So in
24 1973, I opted for the Dalkon Shield. Some of you
25 may remember that a physician would only agree to

1 provide an IUD to a married woman who had already
2 completed her childbearing. A year later in 1974,
3 the FDA suspended sales of the Dalkon Shield due
4 to infections and seven documented deaths among
5 users.

6 These were women who weren't seeking
7 abortions but already had children and relieved
8 that they had completed their childbearing years.
9 I suppose I was one of the lucky ones. The Dalkon
10 Shield required only my complete hysterectomy. I
11 am happy and grateful to be standing before you
12 today. Still today, I wanted then and I want now
13 to control my health decisions and have every
14 option available to me and other women.

15 Throughout my life, I've witnessed and
16 experienced a great deal of what women must deal
17 with to take care of their families and their own
18 health. Decade after decade I've been witness to
19 the healthcare needs of women being shuffled off
20 to the side, ignored, and denied. Court case
21 after court case we've endured. In 1973, 46 years
22 ago, a woman's right to choose was enshrined into
23 law. And since then, we've seen the chipping away
24 at our constitutional rights over and over of our
25 own bodies. And now here we go again telling

1 women what to do with their bodies.

2 I don't remember how many times I've
3 come to this well since I've been elected and
4 advocated for choice. Make no mistake, we know
5 you people who will come to this chamber and
6 propose laws to cut funding for medical care of
7 mothers and babies and come in the next day to
8 pass a law in the name of life that doesn't serve
9 to do anything more but make it harder for our
10 most vulnerable people to receive the healthcare
11 they need.

12 Over the course of history, thousands
13 of women have died through complications of
14 childbirth, trying not to become pregnant, or
15 having become pregnant. Your laws of trying to
16 prevent abortions doesn't prevent them. Your laws
17 send women underground into back alley clinics or
18 underground pill markets. Your laws prevent good
19 research and good outcomes. Your laws create fear
20 and danger and, for some, death.

21 The Democratic women of this senate
22 body are saying, enough. We have a right to
23 determine whether or not we give birth. It is
24 enshrined in our Constitution and has been
25 defended by the courts over and over and over

1 again. What we are doing here -- what are we
2 doing here? We're putting on a show. Kids on the
3 street would say it's a trick.

4 Today you are trying to pass a law that
5 says, we in Georgia care about life, when, in
6 fact, this legislation will reduce pregnant
7 women's access to doctors. It will increase our
8 already unconscionable infant and maternity
9 mortality rates. But we will not leave this
10 chamber today without you hearing from us, who
11 have lived this experience. We know about life,
12 we know what planned childbirth is like, and we
13 know our bodies. We know what it was like when
14 abortion was illegal, and we are determined we are
15 not going back.

16 Mr. President and Members of this body,
17 I appreciate your listening to me today. And at
18 this time, I'll yield the well.

19 CHAIRMAN DUNCAN: Senator has yielded
20 the well.

21 Chair would like to recognize the
22 Senator from the 13th to speak to the measure.

23 SENATOR KIRK: Thank you,
24 Mr. President.

25 The debate around abortion is not new.

1 Until the early 1800s, abortion was legal through
2 common law before they called it quickening, the
3 baby's first detectable motion in the womb.
4 Quickening was a term also uses by Aristotle. He
5 apparently studied the issue of abortion and even
6 aborted babies in his day, and he drew conclusions
7 about the beginning of life. He concluded that
8 abortion should not be allowed after quickening.

9 Aristotle didn't have the technology we
10 have today. You look at a 4D image of a child in
11 the womb, and tell me that baby isn't alive. I've
12 said for years that the pro-life proponents will
13 win this debate because technology removes all
14 doubt that life begins at conception.

15 However, the pro-abortion proponents
16 say that the rights and the wishes of the mother
17 outweigh the rights of the unborn child. It
18 appears that an unborn child has no rights until a
19 certain stage of life as some are even debating
20 whether a child that survives abortion can be
21 attended to by a physician or just left to die.

22 Last month I invited this body, both
23 members of the Democrats and Republican party, to
24 preview a film that debuts next week in theaters
25 all over the country. The movie is called

1 "Unplanned." The movie brought home to me how
2 real this issue is.

3 All my life I've known abortions were
4 performed, but I never observed one or knew the
5 details. In fact, I didn't really want to know
6 the details. Last month I saw an abortion
7 performed in the film "Unplanned," and I just
8 can't get those images out of my mind.

9 In the movie, Abby Johnson had two
10 abortions herself and was one of the youngest
11 Planned Parenthood clinic directors in the
12 country. The clinic she ran performed 22,000
13 abortions. What changed her mind was when she was
14 called in to assist in an abortion in the clinic,
15 and Abby observed the baby trying to escape the
16 catheter that was sucking the baby out of the
17 womb. If you've never seen an abortion performed,
18 I challenge you, go see this film and see if it
19 doesn't have an affect on you.

20 A few weeks ago -- a couple of weeks
21 ago, I had the privilege of standing before this
22 body and proclaiming God's word as pastor of the
23 day. I shared the story of Samson. And in
24 Judges 13:3 is the foretelling of his birth to his
25 parents, the Bible says that he would be a

1 Nazirite and would begin to deliver Israel from
2 the Philistines. The Bible foretells of the birth
3 of Jesus, John the Baptist, Samson, Ishmael, and
4 others.

5 Psalms 139:13 says, "For you created my
6 inmost being; you knit me together in my mother's
7 womb." Isaiah 44:2 says, "He who made you, who
8 formed you in the womb." And Jeremiah 1:5 says,
9 "Before I formed you in the womb, I knew you;
10 before you were born, I set you apart." There are
11 many scriptures that make it very clear to me God
12 knew us and had a plan for us when we were still
13 in our mother's womb.

14 The word "abortion" is not going to be
15 found in the Bible. But children were sacrificed
16 for selfish purposes throughout the Bible. Many
17 of the abortions done today are done so as a form
18 of birth control and convenience.

19 Norma Nelson was a woman who had an
20 awakening of her own. She was born in 1947 and
21 just died a couple years ago in 2017. So she saw
22 a lot of changes to the abortion law throughout
23 her lifetime. At the age of ten, she was sent to
24 a state-ran institution in Texas because of her
25 delinquent behavior, and she remained in and out

1 of institutions until she was 15 years old. She
2 recalled her time in the institution as the
3 happiest time of her childhood.

4 She said she was raped by a family
5 member when she was still just a teenager. And
6 when she told her mother about the incident, her
7 mother didn't believe her. At the age of 16, she
8 married Woody McCorvey. She later left him as the
9 result of abuse and moved in with her mother and
10 gave birth to her first child, Melissa, in 1965.
11 McCorvey developed a severe drinking problem after
12 Melissa's birth. McCorvey's mother also had a
13 drinking problem for years, but Melissa apparently
14 changed McCorvey's life as she eventually took
15 custody of Melissa and kept her from Norma.

16 In 1966, McCorvey gave birth to her
17 second child that was given up for adoption. In
18 1969, McCorvey became pregnant again and returned
19 to Dallas, and she was advised to falsely accuse
20 that she had been raped -- someone of rape so that
21 she could obtain a legal abortion because under
22 Texas law, that was the only way she could obtain
23 one at the time. She was not successful in
24 obtaining an abortion, and the baby was also given
25 up for adoption.

1 McCorvey never attended a single trial
2 but was the subject of the 1973 Roe versus Wade
3 ruling. She identified to the press as Jane Roe,
4 and that's where the case name came from.
5 McCorvey identified as a lesbian and lived out a
6 quiet life with her partner for many years in
7 Dallas, Texas. In 1994, she became a Christian
8 and voiced her remorse for her part in the Supreme
9 Court decision.

10 In 1995, she stopped working
11 for an abortion clinic and started working for a
12 pro-life group called Operation Rescue. In her
13 second book, "Won by Love," published in 1998, she
14 made the following comments. She said she was
15 "sitting in Operation Rescue's office when I
16 noticed a fetal development poster. The
17 progression was so obvious. The eyes were so
18 sweet. It hurt my heart just looking at them. I
19 ran outside. And finally it dawned on me,
20 'Norma,' I said to myself, 'they're right.'

21 "I had worked with pregnant women for
22 years. I had been through three pregnancies and
23 deliveries myself, and I should have known. Yet
24 something in that poster made me lose my breath.
25 I kept seeing the picture of the tiny 10-week-old

1 embryo, and I said to myself, 'that's a baby.'

2 "It is as if the blinders just fell off
3 my eyes and I suddenly understood the truth.

4 'That's a baby.' I felt crushed under the truth
5 of the realization that I had to face up to the
6 awful reality. Abortion wasn't about products of
7 conception. It wasn't about missed periods. It
8 was about children being killed in their mother's
9 wombs.

10 "All those years I was wrong. Signing
11 the affidavit I was wrong. Working in abortion
12 clinics I was wrong. No more for the first
13 trimester, second trimester, third trimester
14 stuff. Abortion at any point was wrong, and it
15 was clear, painfully clear."

16 You know, some of you who will vote
17 against this bill today would support fines of
18 \$100,000 plus prison time for disturbing sea
19 turtle eggs, and \$250,000 fines for disturbing
20 eagle eggs and jail time. Yet, according to the
21 Georgia Department of Public Health, between 2013
22 and 2017, there were an average of 27,455 babies
23 aborted in this state each and every year. Around
24 40 percent of those abortions each year were
25 aborted by a woman who had had a previous

1 abortion.

2 Abortion is not a form of birth
3 control. Life begins at conception. The
4 scientific evidence is clear. I urge your support
5 of the bill. It's the right thing to do.

6 Mr. President, I would love to yield
7 for questions, but I know your board's lit up, and
8 others want to come speak to this bill. But I
9 urge you to vote in support of this bill.

10 Thank you. I yield the well.

11 CHAIRMAN DUNCAN: Senator has yielded
12 the well.

13 The Chair would like to recognize the
14 senator from the 39th to speak to the measure.

15 SENATOR WILLIAMS: Thank you,
16 Mr. President.

17 I rise today because I believe that
18 stories matter and should be included in the
19 public record. I rise because as the mother of a
20 beautiful baby boy, my Carter Cakes, I believe
21 that every woman should have the choice to decide
22 when it is time for them to give birth.

23 I rise today on behalf of myself, a
24 woman of child-bearing age, knowing that it is not
25 up to any of you if my husband Leslie and I decide

1 to expand our family. I rise for my late
2 mother-in-law who told me about her friend when I
3 first told her that I was working at Planned
4 Parenthood. She told me of her friend that died
5 in the late '60s trying to self-abort because she
6 was born during a time when her choice was denied
7 just as you're trying to do with HB 481.

8 I rise for my friends who have had
9 complications late in their pregnancy and wouldn't
10 have any choices under HB 481. Today I stand here
11 as one but on behalf of the thousands of women who
12 need their voices and experiences shared in this
13 body today.

14 "I was married. My husband is a
15 physician. We had a reasonably comfortable
16 lifestyle. We had just had our second child
17 together, and I was diagnosed with a pelvic floor
18 prolapse. The labor and delivery of my son was
19 very stressful, and I had a precipitous delivery
20 which essentially meant that my body did not have
21 the proper time to labor, soften the ligaments so
22 that delivery would be easier.

23 "I experienced a significant birth
24 trauma, and the thought of having a child again
25 was something I just couldn't do. I had gone back

1 to my ob-gyn at 12 weeks' postpartum to have an
2 IUD. At that examination, it was determined that
3 I was pregnant again.

4 "I was breast-feeding regularly, had
5 not begun to menstruate again, and we thought that
6 we were practicing family planning. My husband
7 was planning to have a vasectomy, and I decided to
8 be proactive and get the IUD because we were
9 certain we didn't want to risk another pregnancy.

10 "When my doctor told me that I was,
11 indeed, pregnant again, I was in shock. It was an
12 early pregnancy. I had absolutely no symptoms and
13 assumed that breast-feeding had offered some
14 contraceptive protection as this is often the talk
15 of women as a part of natural family planning.

16 "I was sitting confused, scared, and
17 dealing with the trauma of a previous birth that
18 had just happened less than three months prior and
19 the early onset of postpartum depression. In
20 addition to my infant son, I also had a
21 two-year-old toddler and a 14-year-old.

22 "My husband and I, with the
23 consultation of our clinician, made the decision
24 to terminate the pregnancy. The thought of having
25 to carry another baby as my body was healing from

1 the traumatic birth of the baby I was holding in
2 my arms was something I never want any woman to
3 have to face.

4 "Many women who have abortions are
5 married. They have the financial means, yet for
6 reasons we can't control, the risk of carrying
7 another child unfortunately mitigates that
8 decision."

9 That is story number one from a
10 constituent here in Atlanta.

11 "I am one in four women who had an
12 abortion by the age 45. I was 21 years old,
13 engaged, and in the middle of my second semester
14 of my third year at Mercer University.

15 "I didn't realize how common abortion
16 was until I opened up to some friends about mine.
17 Two of my husband's coworkers in the Air Force
18 shared with him that they had had an abortion. I
19 found out four friends on campus had an abortion
20 while in college. Abortions are going to happen
21 as long as unplanned pregnancies happen.

22 "When I interned for Access
23 Reproductive Care - Southeast, an abortion fund in
24 Atlanta, I remember one caller sigh in relief
25 after I helped her with some financial assistance

1 for her appointment. She was afraid she would
2 have to throw herself down some stairs. While it
3 sounds crazy, desperation will drive people to
4 great extents.

5 "If abortion is outlawed in Georgia, we
6 will see maternal mortality rates increase
7 dramatically, and Georgia already ranks at the
8 bottom of that pile nationally.

9 "Please do not put pregnant people's
10 lives in danger for a procedure that is so safe.
11 Please do not punish abortion providers for giving
12 us the medical care we need. Please do not let us
13 become another number for maternal mortality."

14 That is story number two, a senior at
15 Mercer University.

16 "My husband and I were both married
17 previously. And I jokingly say, we have his,
18 mine, and the dogs are ours. I was 36 when we
19 married, and we became a beautiful blended family
20 with three children between us: his 10-year-old
21 son, his five-year-old daughter, and my
22 three-year-old.

23 "We loved the idea of having a child
24 together, but being older, we knew it might not
25 happen. So we decided to let fate take its course

1 and be grateful for whatever might come.

2 "About a year into our marriage, we
3 found out we were pregnant and were thrilled.
4 Because of our age, we knew it was riskier. So we
5 decided to wait to tell anyone.

6 "I'll never forget that 12-week
7 ultrasound. I was so thrilled to see our
8 beautiful child on the screen. And it looked just
9 like my daughter did five years before.

10 "As we began to think about telling our
11 children, my husband became nervous that his kids
12 might not be as excited because they might feel
13 like this child would somehow replace them. They
14 were already understandably jealous that their dad
15 spent more time with my daughter -- let's just
16 call her B for this conversation, but this child
17 would be a part of both of us, and we knew they
18 might feel a little threatened by that.

19 "At the 12-week ultrasound, there's
20 also a blood test which can identify any genetic
21 abnormalities. It was a long weekend with all
22 three kids at our home. So we asked the doctor if
23 we could go ahead and tell the kids before getting
24 the blood test results because we wanted the full
25 three days to let them absorb the news while they

1 were with us.

2 "The doctor said obviously he couldn't
3 guarantee anything without the blood test, but
4 everything looked good. So it would probably be
5 fine to go ahead and tell them. So we did. B was
6 thrilled at the idea of having a full-time sibling
7 in the house. His kids were more apprehensive,
8 just like we thought they might be. But by the
9 end of the weekend, they seemed okay.

10 "B was so sweet. She started kissing
11 my belly and talking to the baby every day. The
12 following Tuesday I received a call that started
13 one of the most tragic events in my life. The
14 doctor said the blood test showed the baby had
15 trisomy 18. He said we could take some tissue and
16 verify it through DNA testing. That would
17 absolutely confirm it but to prepare myself
18 because typically the results are the same.

19 "I had no idea what trisomy 18 was, so
20 I began my research. I was devastated. It was a
21 genetic disorder that results in either
22 stillbirth, or the baby cannot survive outside the
23 womb for more than a few hours or a few days at
24 the longest. And if it survives, its organs are
25 often outside its body. There is no quality of

1 life for the very brief period he or she might
2 live.

3 "I raced in for the DNA test, and it
4 confirmed our worst nightmare. Our doctor said
5 our options were to terminate or to continue the
6 pregnancy and prepare ourselves to bury our child.
7 I asked if we could have some time to think about
8 it, and I remember he said we could take some time
9 but not too much time because the law becomes more
10 complicated the further along I became in my
11 pregnancy.

12 "I went home and continued to scour the
13 internet for the one doctor in some remote country
14 who was going to save my baby because as a parent,
15 you think there has got to be a solution
16 somewhere. The idea of giving up is just out of
17 the question. But through tears and sleepless
18 nights, I continued reading the medical data and
19 finally had to accept that I just wasn't going to
20 be able to save my baby.

21 "All the while B, my sweet
22 five-year-old, continued talking to the baby and
23 kissing my belly every night. I read through
24 hundreds of parents' stories, some who chose to
25 terminate and others who made the decision to

1 carry the baby and bury it. All were
2 heart-wrenching as I continued to try to figure
3 out how to make this impossible decision.

4 "As B was talking to the baby one
5 night, I knew I couldn't make a choice that would
6 hurt her any more than necessary. The longer she
7 talked to the baby in my belly, the more she was
8 falling in love with her little brother or sister.
9 And I couldn't stand the thought of watching her
10 bury him or her.

11 "I was going to put all five family
12 members through four-and-a-half months of this
13 baby growing inside me knowing the tragic end to
14 the story. So my husband and I ultimately decided
15 to terminate the pregnancy at about 14 weeks.

16 "If HB 481 passes, women who find
17 themselves in the same heart-wrenching situation
18 as mine will have to make the right and the best
19 decision for their family. Government should not
20 be involved in a women's medical decisions about
21 her body or her family.

22 "For those who think women make these
23 decisions lightly, you were wrong. It was truly
24 the most difficult decision I've ever made. But I
25 don't regret making the decision to minimize the

1 traumatic suffering for me and my family.

2 "Please do not pass HB 481. Trust
3 women to make the decision that is right for them
4 and their families."

5 A resident of Sandy Springs, Georgia.

6 "Living in Middle Georgia, my access to
7 reproductive healthcare shrunk so much that I
8 couldn't even find an ob-gyn that accepted
9 Medicaid. When I tried to get an IUD, the
10 procedure was too painful to go through.

11 "So the next options I have for
12 contraception were implant or shots. Nexplanon
13 and Depo shots weren't available at my
14 gynecologist's office. And it was this lack of
15 reproductive care that led to my unexpected
16 pregnancy.

17 "I didn't know I was pregnant until
18 about six-and-a-half weeks, and I had to wait to
19 schedule an appointment for a three-day weekend
20 when school was out.

21 "Implementing a six-week abortion ban
22 would effectively ban abortion across the board
23 since most people don't even know that they're
24 pregnant by that time. People already have
25 mandatory 24-hour waiting periods and have to

1 reschedule work, school, and their lives overall
2 to seek care. Adding additional restrictions
3 places unnecessary burdens on Georgia women."

4 A constituent of Senate District 18.

5 "I grew up sheltered, the only child of
6 an older couple in the Atlanta area and decided I
7 could have an expectation by getting accepted and
8 matriculating at a prestigious university in the
9 Boston area.

10 "When I was only 18 and on Christmas
11 break working a temporary job back in Atlanta, I
12 discovered I was pregnant. I knew that if I
13 followed through, that would be an end to my
14 aspirations for a better life and for providing
15 for any future family. I knew plenty of young
16 women I had been in high school with who had to
17 drop out, had minimum wage jobs, no prospects, no
18 future, and more importantly no future for their
19 offspring.

20 "And before you try to minimize my
21 situation or shame me into silence, understand
22 that I had used birth control available to me.
23 The young man in question did not use any birth
24 control available to him.

25 "I kept myself together just barely and

1 returned to campus. Mercifully, Massachusetts has
2 long understood that all humans, female as well as
3 male, are deserving of body sovereignty. The
4 concept, really not difficult to grasp, that each
5 actual human being who's achieved majority is
6 capable and blessed with ownership and stewardship
7 over all of their body parts.

8 "A female friend of mine who would
9 never terminate her own pregnancy nevertheless
10 recognized my need and desire to and honored my
11 ability and right to self-determination and went
12 with me to an abortion clinic. Since it was
13 legal, the clinic was clean; the staff,
14 compassionate; and I recuperated quickly.

15 "I finished my undergraduate work,
16 moved back to Atlanta, worked, volunteered with
17 disadvantaged children, homeless, and more.
18 Attended graduate school. Gave birth to two
19 children who are truly spectacular. Provided for
20 them in a way that would have been completely,
21 abjectly impossible had I given birth at the
22 tender age of 18. My two children, now
23 practically grown, are poised to exert a positive
24 influence on others and help save the planet.

25 "Was my decision to terminate easy to

1 make? Of course not. I cried, was panicked,
2 definitely afraid that my parents would disown me
3 and kick me out of the family for having the
4 temerity to be a sexual being.

5 "Did I enjoy being in a position to
6 make a difficult decision? Of course not. Was
7 the procedure easy? No, it wasn't. Even though
8 the clinic was clean, the staff compassionate, the
9 pain was there though transient. I'm still happy
10 I made the decision.

11 "Was I entitled to it? Yes, I was.
12 I'm an entire human, not a baby-making machine,
13 merely a womb for the convenience of the other
14 half the species. All women should have body
15 sovereignty just as white men have had since
16 before the founding of this country. Besides,
17 look at the statistics. Numbers don't lie unlike
18 hypercritical humans.

19 "Countries that have access to sex
20 education, birth control, and pregnancy
21 termination have a much, much lower incidence of
22 abortion. If you truly care about babies,
23 children, and adults and aren't just pandering and
24 trying to regulate and shame women for controlling
25 their sexuality, you will trust us with our

1 bodies."

2 That is story number five from a
3 Brookhaven resident.

4 "While this bill will no longer affect
5 me, it will affect all young women and should not
6 be approved. My sons are nine years old and
7 nine months apart in age. This is not a gap we
8 had planned, but our youngest son is also not an
9 accident.

10 "He was many years in the making. I
11 had three first trimester miscarriages. And under
12 this bill, I would more than likely be criminally
13 investigated for those. We thought three
14 miscarriages was horrible. We had no idea what
15 horrible truly was.

16 "I made it to 16 weeks with my fifth
17 pregnancy and not easily took our five-year-old
18 with me to a routine ultrasound. We wanted him to
19 see the heartbeat of his future sibling.

20 "My dreams were shattered with the
21 words, there's a major problem. In the next few
22 days, my husband and I saw multiple maternal fetal
23 specialists and a geneticist. Our son had
24 multiple neural tube defects that were
25 incompatible with life. He had a heartbeat but

1 would never draw a breath outside of my body.

2 "We had options, and those were
3 explained many times. I could continue the
4 pregnancy, but our child was dying. We chose to
5 end the pregnancy. And, yes, this was a decision
6 that my husband and I made together after many
7 days of crying and praying. There was no ripping
8 of limbs. There was a labor and a delivery, and
9 we held our son.

10 "This was not the end of our nightmare.
11 One year later I was pregnant again. And once
12 again, this time at 19 weeks, the neural tube
13 defect and encephali was found. Our daughter had
14 no brain or skull, but she did have a heartbeat.
15 Once again, we had options: plan a funeral or end
16 the pregnancy. We chose to end it at 19 weeks,
17 6 days.

18 "Yes. We held her and unwrapped her
19 blanket, removed her head covering. I will tell
20 you that is an image that will remain with us for
21 the rest of our lives. It's not an easy thing to
22 end a pregnancy, much less two.

23 "We were married, working, responsible
24 parents. Not what you think of in terms of people
25 receiving abortions. This is a decision that

1 should be between a woman, partner, and medical
2 staff. Politicians have no place in a medical
3 decision.

4 "The people who support this bill don't
5 trust women enough to make their own informed
6 medical choices. We never wanted perfect, but we
7 did want viable. Our long journey ended on
8 September 25th, 1994 with the birth of our son.

9 "I urge those of you that support this
10 bill to meet with families that have walked this
11 journey and listen to them with an open heart and
12 mind."

13 That is from a constituent in Athens,
14 Georgia.

15 And my final story: "I've been on
16 medication for a few years now that is critical to
17 my daily activity. It makes getting up in the
18 morning possible. It helps me to maintain a
19 meaningful career and enables me to live my life
20 more fully in spite of my clinical depression.

21 "It's also US FDA pregnancy category C
22 which means that while they don't have enough
23 human research yet, animal studies have shown that
24 exposure can cause adverse reactions in fetuses.
25 So when my husband and I are ready to start our

1 family, part of our family planning journey, like
2 many women, will be taking the time to transition
3 off of my medication just like I'll do with my
4 birth control, with an occasional glass of wine,
5 with certain face creams, and manicure procedures.
6 No big deal; right? Totally normal.

7 "Well, it's a really big deal if we
8 conceived inadvertently before the transitioning
9 off the medication occurred because in spite of
10 its critical role in my day-to-day experience, as
11 one of the millions of American women living with
12 diagnosed depression, it's potentially lethal to
13 abruptly discontinue.

14 "HB 481 would make it so that in the
15 event of our contraception failing, resulting in
16 an unplanned but very wanted pregnancy, we would
17 have to subject our baby to any and all of the
18 possible side effects, many of which are not
19 totally understood yet, or risk maternal mortality
20 by discontinuing the medication to preserve the
21 pregnancy.

22 "Abortion isn't the weapon of a single
23 woman. It is a critical medical intervention for
24 married and unmarried women alike. And more often
25 than I think men realize, it's a question of life

1 or death for both parties."

2 An abortion is a medical procedure that
3 ends a pregnancy. It is a healthcare need for
4 millions of women and girls who become pregnant.
5 An estimated one in four pregnancies end in
6 abortion each year. One in four. That's someone
7 you know. It's not just Democrats. It's not just
8 people that live in Atlanta. Those are people
9 that all of you know. One in four women by the
10 age of 45 will have had an abortion.

11 As you can tell from the stories that
12 I've shared, no two pregnancies are the same. We
13 shouldn't put ourselves in the middle of the
14 doctor-patient relationship, and we should oppose
15 HB 481.

16 Mr. President, I yield the well.

17 CHAIRMAN DUNCAN: Senator has yielded
18 the well.

19 The Chair recognizes the senator from
20 the 9th to speak to the bill.

21 SENATOR MARTIN: "O Lord, You have
22 searched me and known me. You know when I sit
23 down and when I rise up; You discern my thoughts
24 from afar. You search out my path and my lying
25 down and are acquainted with all my ways.

1 "Even before a word is on my tongue,
2 behold, O Lord, You know it altogether. You hem
3 me in before and behind -- behind and before --
4 excuse me -- and lay Your hand upon me. Such
5 knowledge is too wonderful for me, it is high. I
6 cannot attain it. Where shall I go from Your
7 Spirit? Or where shall I flee from Your presence?

8 "If I ascend to Heaven, You are there.
9 If I make my bed in Sheol, You are there. If I
10 take the wings of the morning and dwell in the
11 uttermost parts of the sea, even there Your hands
12 shall lead me; and Your right hand shall hold me.

13 "If I say surely the darkness shall
14 cover me, and the light about me be night; even
15 the darkness is not dark to You. The night is
16 bright as the day. For darkness is as light with
17 You. For you formed my inward parts; you knitted
18 me together in my mother's womb.

19 "I praise You, for I am fearfully and
20 wonderfully made. Wonderful are Your works. My
21 soul knows it very well. My frame was not hidden
22 from You when I was being made in secret,
23 intricately woven in the depths of the earth.

24 "Your eyes saw my unformed substance.
25 In Your book were written, every one of them, the

1 days that were formed for me when as yet there was
2 none of them."

3 A reading from the 139th Psalm, verses
4 1 through 16.

5 Mr. President, Colleagues, I think
6 everyone in this body knows that I'm not one who
7 likes to take myself too seriously. Even though
8 we have serious work to do, we can do it in a way
9 that builds up each other and edifies those that
10 we disagree with. I like to laugh, but today's
11 subject isn't funny. It isn't lighthearted.

12 As a matter of fact, it's probably the
13 heaviest subject we'll take up. The heaviest
14 subject we'll probably ever deal with in our
15 lives. Life versus death. Potential versus
16 potential extinguished.

17 I've heard from many people on both
18 sides on this issue. I've heard many new words
19 that haven't been mentioned in this arena or at
20 least that I've heard before now: reproductive
21 freedom, maternal healthcare, most intimate
22 decisions. These are shiny words. They're focus
23 group tested words. They're powerful words. And
24 they're chosen intentionally because they are
25 convincing words. More on this later.

1 When my wife and I decided to make an
2 intimate decision of starting a family, I never
3 knew the difference it would make in my life. It
4 opens you up to more love and the possibility of
5 more pain that you can ever imagine. We made this
6 decision within the context of our marriage, and
7 we made a careful intent to create a loving home
8 in a dedicated, loving relationship.

9 In this decision God created, carefully
10 knit a new life. A combination of two coming
11 together to create one new life. The two shall
12 become one. In our children, the two of us, my
13 wife and I -- excuse me. In our marriage, the two
14 of us, my wife and I, are one. It is completely
15 representative of the marriage covenant and
16 probably the most perfect institution created by
17 God.

18 I am not foolish. I know there are
19 choices made every day in a passionate moment that
20 create fear that can only be known by the one
21 feeling it. I understand that when carried alone,
22 this intended blessing can become crisis. I know
23 that I will never personally know what it feels
24 like to carry this burden. We must always be
25 mindful to provide care and counsel to those women

1 who are in crisis.

2 It is a broken world in which we live.

3 And there are some tough and heartbreaking
4 situations that require decisions nobody ever
5 wants to make, and we weren't intended make. But
6 it is the opposite of justice and compassion to
7 create a false framework for such a decision where
8 the good of only one person is considered while
9 the very existence of the other is denied.

10 Science and biology through things like
11 DNA and heartbeats and brainwaves and pain
12 response tells that there are two unique human
13 beings involved. And, yes, the faith of billions
14 of people from all backgrounds point to the full
15 dignity of the person in the womb. Arguments
16 about the rights and freedoms of women are
17 compelling, and they're not without merit. But
18 they are incomplete and result in injustice and
19 the oppression of the weakest people when the full
20 humanity of the baby is ignored or denied.

21 When this debate began, I wasn't
22 100 percent where I would fall because there was a
23 lot of chatter about the problems of this
24 legislation. And I'm so thankful to the senator
25 of the 45th and her work along with her committee

1 mates to make changes in this legislation that
2 made it better. She is a stalwart in the fight
3 for life.

4 She has spent her career caring both
5 literally through her work as a nurse and
6 figuratively through her work in public service
7 caring for those in need, caring for those who are
8 incapable of caring for themselves. I hope when
9 my time of public service is over, that people
10 will say the same for me. Thank you.

11 People in the halls will tell you that
12 I have engaged with them on this issue. I've
13 asked questions, and I've listened. I've listened
14 to their concerns on the bill. I'll admit that
15 from phone calls, emails, and personal
16 conversations that I've had, it is interesting to
17 hear the identical words and phrases being
18 repeated by almost every caller. There is a
19 carefully planned opposition to this bill.

20 As I told you earlier, I wasn't
21 100 percent on this bill initially. And in one of
22 the many conversations I had, I was speaking to a
23 group. And after engaging and listening, they
24 seemingly ran out of tested phrases and arguments.
25 And one person added, "Senator, if we pass this

1 legislation" -- and I'm quoting. "If we pass this
2 legislation, imagine how many more poor people we
3 would have and how many more people we would have
4 on welfare and on Medicaid?" Let it sink in.

5 Folks, that's a bone-chilling comment.
6 I didn't fully catch the enormity of that
7 statement right away. As I sat the next morning
8 drinking coffee in thought and prayer, I couldn't
9 help but hear it repeat in my mind as if I was
10 still standing out on those ropes.

11 This is the battle we fight. Our
12 choice is life or the extermination of the
13 limitless potential that life represents. This
14 isn't something that I take lightly. I choose to
15 stand and fight for the lives of those who can't
16 fight for themselves so that they may see the
17 wonders of this world and partake in the liberty
18 that our nation provides.

19 Mr. President, I yield the well.

20 CHAIRMAN DUNCAN: Senator has yielded
21 the well.

22 The Chair recognizes the senator from
23 the 22nd to speak to the measure.

24 SENATOR JONES: Thank you,
25 Mr. President. And I'll be brief as we have many

1 speakers to go.

2 I rise in opposition to this bill
3 because, first, I support a woman's right to
4 choose. And today one of the things I hope not to
5 do is get into an esoteric discussion about right
6 to privacy or Justice Douglas in the Fourth and
7 the Ninth -- Fourteenth and the Ninth Amendment
8 and things of that nature because in reality, this
9 bill has pretty much ended that conversation.

10 It hasn't been stated, but in reality
11 what this bill has done is eliminated the right to
12 choose for women. We say that it's there up to
13 six weeks, but we recognize that -- and certainly
14 those more qualified than me, as I can't have
15 children -- a person may not even know they're
16 pregnant up to that time period.

17 So what this body has done or may do or
18 has started to do is basically overturn Roe versus
19 Wade and Planned Parenthood versus Casey. And
20 that's not just myself saying that. Because the
21 fact of the matter, as the author of this bill
22 stated in hearings, that if we determine
23 personhood different outside of Roe versus Wade,
24 the viability standard, then the whole context of
25 Roe and Casey falls. And today we have determined

1 or this bill attempts to determine what personhood
2 is.

3 But we're no closer to being able to
4 determine what personhood is today than we were
5 when Roe was decided. Quite frankly, you can find
6 any theologian, you can find any medical person,
7 you can find any philosopher that can define
8 personhood in any way that you want it to be
9 found.

10 It's no different than when the court
11 in Roe said, we as jurors are not in a position to
12 determine personhood. If the medical and
13 philosophers and theologians cannot decide, we
14 certainly can't do it either. And they created
15 the standard that they created.

16 Well, for some -- but some magical way,
17 HB 481 has decided that it now has the answer.
18 And that's fine. It now knows personhood
19 basically. And it appears to be unambiguous,
20 unwavering, somebody said courageous possibly.
21 And it appears that there's nothing political
22 about it at all.

23 This definition of fetal heartbeat,
24 that you cannot have an abortion after fetal
25 heartbeat which could be up to maybe six weeks, it

1 seems that this is very unwavering. But when you
2 really look at this bill, there's one little part
3 in it that tells you this is totally political.
4 And at first blush, it seems like it's
5 done -- it's a good thing, but you have to
6 understand what's behind it.

7 It's politics, and it is a recognition.
8 It's both. It's politics and a recognition that
9 at the end of the day, the right to choose is
10 exactly what it is. It's a constitutional right,
11 and it is a right that a woman should have.

12 And you say, what could you possibly
13 mean? How could you possibly say that? This bill
14 is very clear. It talks about -- it has language
15 in there from the Declaration of Independence. It
16 talks about fetal heartbeat. And basically it's
17 trying to define personhood, and that could be up
18 to six weeks. It basically takes away the right
19 to choose. It seems so clear, that this is
20 obvious, that this is just unwavering. There's
21 nothing political about this at all.

22 There is no way you can say that
23 there's a recognition that a woman actually has a
24 right to choose within this bill. But I would
25 say, no, that's not accurate.

1 There's an exception that I agree with,
2 but it shows the total contradiction of this whole
3 bill. The exception of nonconsensual sex and
4 incest. It shows the complete contradiction of
5 this whole bill. You cannot -- if you believe in
6 this personhood that has been advertised, you
7 cannot do that.

8 So the belief is not a true belief. It
9 is a political belief. Because at the end of the
10 day, no man is going to tell a woman who is a
11 victim of nonconsensual sex, rape, or incest that
12 you must have that child.

13 But what is beneath that is a
14 recognition -- it has to be -- that there is a
15 right to choose. That's what's beneath it. So in
16 this bill, you actually are contradicting yourself
17 because -- you are acknowledging this because
18 otherwise you couldn't do it. Otherwise you could
19 not do it.

20 And it goes up to 20 weeks, which is
21 interesting because that means there is no right
22 in Georgia to have this procedure, to have this
23 choice, other than those two exceptions. And this
24 is important because when this goes to court, the
25 court is going to ask, when you're saying there's

1 no right, what is your rational basis for it?

2 Let me give you some language that
3 doesn't come from Senator Harold Jones. You guys,
4 those who support this, have heard this. This I
5 know is political because those who support this
6 have heard this and have told the people who have
7 said these statements, we can't do this. Because
8 you can't expect me in a neighborhood association
9 meeting to tell a woman who stands up and says,
10 I'm a victim of rape -- I'll just say it, "rape,"
11 and you're telling me that I can't have an
12 abortion?

13 And that man's going to say, yep, you
14 can't do it. And you have told many of the people
15 who are supporting this, I can't do it. That's a
16 political decision, and it's wrong if you really
17 truly believe it. I contend that the true belief
18 is you know that this is a constitutional right,
19 but you've gone so far down this rabbit hole you
20 can't get out of it.

21 Because some of the commentators,
22 conservative commentators, have stated, let's not
23 punish the wrong person by inflicting upon the
24 innocent child our rage against the rapist. Y'all
25 have heard that, but you've ignored it because you

1 know that you can't tell politically a woman that.

2 And you've told those conservative commentators, I

3 can't do this. Oh, yeah.

4 Both are done at the expense -- meaning

5 the criminal act and the medical, both are done at

6 the expense of an innocent person. And they've

7 told you if you truly believe this person at the

8 end that you're advising, you can't do these

9 exceptions. In fact, it's gotten so deep in

10 y'all's circles that there's now the creation of

11 the National Personhood Alliance, which is now

12 separated from other anti-choice groups because

13 they say, well, look, there has to be at least a

14 choice for rape and incest.

15 You choosing to put that language in

16 there shows the inherent contradiction; shows,

17 number one, it's political because you have no

18 problem saying to some extent to a poor woman who

19 hasn't been a victim of that, the end result is

20 the end result. Your conservative commentators

21 have told y'all that. The end result is the end

22 result.

23 But if it's a poor woman who can't

24 afford it, she says, no, it wasn't -- it was not

25 nonconsensual sex, it wasn't incest, but this is

1 where I am in life. I've been to community
2 college, I got a GED, and I had unprotected sex.
3 I'm sorry. This is where I am. This is going to
4 hurt me. Can I please be part of this exception?
5 And our bill says you can't.

6 And the court is going to say, what's
7 your basis for that? The end result is the end
8 result. How do you make this determination that
9 one person can have access to this exception and
10 another cannot? Because your own conservative
11 commentators have said that the trauma on the lady
12 is the same. So don't come up here and talk about
13 that. Y'all know that's not true.

14 Conservative commentators have said,
15 there's no difference in the trauma of the woman
16 who does it out of economic concerns and the woman
17 who does it for nonconsensual sex or incest. And
18 the court is going to hear this and look at this
19 record and say, what was your answer to that?
20 Because if you're giving an exception here, why
21 are you not giving an exception -- what's your
22 rational basis of not doing that? We just didn't
23 want to do it?

24 This law is so blatantly -- we all know
25 it's blatantly unconstitutional, but that in

1 itself just makes it that much more problematic.

2 So as I looked at this, I recognized that in
3 reality, we recognize that this is a
4 constitutional right. Otherwise we wouldn't be
5 making these political, even legal, exceptions.

6 But I think some people have gone so far down this
7 political rabbit hole, anti-choice, anti-women,
8 you can't get out of it.

9 And I will say this to those of you who
10 believe thoroughly in the right, who have gone
11 down this rabbit hole, you know what's coming
12 next. You know that these groups are not stopping
13 here, and they're going to demand that you take
14 these exceptions out. And you know it's not
15 right. Not only from a political, but from a
16 legal and from a moral standpoint, you know it's
17 not right.

18 Today is your day to do what's right.
19 Stand up. Stand up. Get out of this rabbit hole
20 that you've gone down and say, it's got to stop.
21 If you didn't think it had to stop, you wouldn't
22 have put this exception in there.

23 This isn't to help me. You've ended
24 the right to choice. I believe in the right to
25 choice. You've done nothing for me. You've done

1 nothing for women. You ended choice with this
2 bill. Make no mistake. This was for you.

3 Thank you. I yield the well.

4 CHAIRMAN DUNCAN: Senator has yielded
5 the well.

6 Chair recognizes the senator from the
7 3rd to speak to the measure.

8 SENATOR LIGON: Thank you,
9 Mr. President and Members of the Senate.

10 Our Georgia Constitution begins with
11 the Bill of Rights. And the controlling provision
12 of that Bill of Rights that is key for our debate
13 today states that the "Protection to person and
14 property is the paramount duty of government ..."

15 Our state -- we first adopted our Bill
16 of Rights in -- Bill of Rights in 1861, and
17 ironically Georgia's Bill of Rights arose out of
18 the Secession Convention. And yet the legislators
19 who adopted our Bill of Rights and the people of
20 this state who ratified it within our 1861 revised
21 Constitution failed to consider that there was an
22 unrecognized class of the human family who could
23 not enjoy the protections of the newly adopted
24 Bill of Rights.

25 Such high and lofty words, whether they

1 appeared in our Federal Constitution or in our
2 Georgia Constitution, meant nothing for those
3 under the institution of slavery until after the
4 end of the Civil War and the passage of the
5 Thirteenth and Fourteenth Amendments.

6 Our duty today is to determine if those
7 same words mean anything for another unrecognized
8 class in the human family who still remain at the
9 mercy of those holding power over their lives.

10 Shall we not recognize now that it is
11 every living human being who ought to enjoy the
12 protection of those words? Would anyone be able
13 to say that a child in the womb is not living?
14 Would anyone be able to say that the child in a
15 mother's womb is not a living, distinct human
16 being? Then why would we not want to protect the
17 most fragile and vulnerable and innocent among us?

18 Even those without the medical
19 knowledge that we have today, the Greeks, had
20 enough wisdom 23 centuries ago to recognize that
21 it was an offense against humanity to take the
22 life of an unborn child. Now when we have
23 attained the scientific evidence that their wisdom
24 was correct, why are we so willing to ignore the
25 Hippocratic Oath that has guided Western medical

1 practice in its successes for over 2000 years?

2 In fact, there was enough evidence in
3 1859 for the American Medical Association's report
4 on abortion to consider whether the human being
5 in utero is a person. That report called for the
6 protection of the independent and actual existence
7 of the child before birth as a living being. They
8 decried the unnecessary and unjustifiable
9 destruction of the human life both before and
10 after quickening.

11 Does not the word "person" in our
12 Fourteenth Amendment and here in our Georgia
13 Constitution refer to a living member of the human
14 family? A human being at any stage of life ought
15 to be recognized as a person. However, at the
16 very least, we need to recognize that when a human
17 heartbeat has begun, that the interest of life
18 must be paramount.

19 In modern medicine, we know that life
20 in the womb begins at inception. We know that the
21 child's life is unique with his or her own DNA and
22 blood type. Certainly we know, even as a child
23 would know, that life is present at the sound of a
24 heartbeat.

25 In every other context of law, we

1 recognize that a person is alive if they have a
2 beating heart that is beating on its own without
3 artificial life support. And when that heartbeat
4 stops, life has ended. Why wouldn't we recognize
5 that a new person is alive in the womb in the
6 presence of a beating heart?

7 Even when a little child sees a
8 sonogram taken of that developing life in a womb
9 with a beating heart, they recognize that it is a
10 baby, a little person with a life of its own. And
11 studies have shown that once a heartbeat begins,
12 that the developing child has a 95 percent chance
13 of being carried successfully to term.

14 The Federal Constitution establishes
15 the minimal threshold for our rights and
16 liberties, but it states we are free to offer more
17 protections to persons within our jurisdictions.
18 For example, under the Kelo versus City of
19 New London case, the federal government allowed
20 property to be -- private property to be taken for
21 redevelopment. However, in Georgia in 2006, we
22 prohibited that practice and offered our property
23 owners more protection for their property.

24 That is essentially what this bill does
25 but on a matter of greater importance. We do this

1 by weighing the life interest of the child and
2 recognizing the personhood of that child at the
3 point of its heartbeat. The personhood status is
4 further established by recognition that tax
5 benefits, medical expense claims, tort rights,
6 inclusion in the census accrue at that point of
7 the heartbeat.

8 Now, we have plenty of scientific
9 evidence to guide our discussion today. And it's
10 not my purpose to go over the scientific facts as
11 much as it is to say that as our society gains
12 scientific knowledge and is more enlightened over
13 time, the appropriate recognition of that
14 knowledge must be reflected within our legal
15 system.

16 As the US Supreme Court stated in
17 Planned Parenthood versus Casey, "In
18 constitutional adjudication as elsewhere in life,
19 changed circumstances impose new obligations, and
20 the thoughtful part of the Nation could accept
21 each decision to overrule a prior case as a
22 response to the Court's constitutional duty."

23 Due to today's strong scientific
24 evidence and the fact that the American College of
25 Obstetrics and Gynecology in its 2015 guidelines

1 provided that the standard for viable intrauterine
2 gestation is the presence of a heartbeat, we're on
3 solid scientific ground to legally recognize that
4 person in the womb and provide legal benefits and
5 protections to that new person. Thus, the life
6 interest of the child is truly established at that
7 point in time.

8 As we balance the liberty interest of
9 the mother and the life interest of the child, the
10 life interest of the child should prevail in the
11 presence of a heartbeat.

12 Do not our evolving standards of
13 decency demand that we look at this evidence again
14 today? Should we not rely upon the growing
15 enlightenment we see from our expanding scientific
16 knowledge?

17 Over and over in our law, we revisit
18 the code, and we update it. Our courts overturn
19 decisions that were wrongfully made. What if our
20 nation had let the Dred Scott decision stand?
21 What if the court had not revisited Plessy versus
22 Ferguson?

23 We know that the nation's policy of
24 segregation festered for far too long. When
25 television revealed the ugliness of segregation in

1 pictures that we could not avoid, the nation had
2 to face and deal with the truth. The policy of
3 segregation was wrong, and it denied an entire
4 class of persons dignity and the protection of the
5 laws to which they were entitled.

6 The decision of Roe v Wade has been
7 festering far too long in this country. We're
8 beginning to see the ugliness of abortion and what
9 it does to the unborn. Images are now available
10 which reveal the barbaric practice of tearing
11 apart a living person in the womb, a person with a
12 heartbeat. As a country, we've seen the product
13 of abortion. Little pieces of body parts stacked
14 on cold steel trays too gruesome to show here
15 today.

16 I have pictures, but I can't show them
17 on the screen because it's not proper to do that
18 in polite society. But if anyone wants to see the
19 truth, I have a box with those pictures in there
20 on my desk. If you want to see the truth about
21 abortion, you can come by and pick up a set of
22 pictures. I have one for everyone in this body.

23 For far too long we've refused to see.
24 We've looked the other way, and we've denied the
25 most vulnerable class of human beings the

1 protections of the law to which they're entitled.

2 It's time for us to recognize our error as a
3 nation in allowing the millions of children to
4 have been aborted since 1973.

5 The life interest of the child,
6 especially at the point when a heartbeat begins,
7 is paramount. It's time that we recognize the
8 personhood of the unborn because we know when an
9 unborn child is allowed to survive to term, that
10 that child has the opportunity to become maybe a
11 great scientist, a teacher, a musician, doctor,
12 nurse, electrician, artists, firefighters,
13 policemen, inventors, and maybe even a
14 legislature.

15 We have a legislature here with us
16 today whose mother decided to give him up for
17 adoption out of necessity. He's the author of
18 this bill. We're glad that he's with us.

19 I urge you to stand firm for those who
20 cannot speak yet with their voices in this battle,
21 that their bodies bear the witness to the truths.
22 Our state has the freedom to choose a policy that
23 favors life. So let's do that. Let's do what is
24 right. Let's pass this bill.

25 I yield the well, Mr. President.

1 CHAIRMAN DUNCAN: Senator has yielded
2 the well.

3 The Chair recognizes the senator from
4 the 48th to speak to the measure.

5 SENATOR KARINSHAK: Thank you,
6 Mr. President.

7 I rise today to speak against House
8 Bill 481 for every Georgian; for the thousands
9 who've reached out to me, men and women; and for
10 those who have no voice. For I too was a person
11 with no voice until I was able to escape poverty
12 and become a lawyer and become a state senator by
13 the grace of God to stand here with you today.
14 And I too know God.

15 Like all of us, I wear a number of
16 hats. And I'm going to wear a few of them as I
17 speak today. I'm going to start by speaking as an
18 attorney, a former federal prosecutor, and counsel
19 to a former governor of this great state.

20 Ladies and gentlemen, this legislation
21 is blatantly unconstitutional. We should just
22 tear this up, the Constitution. It would be
23 difficult, not to mention extremely expensive and
24 fiscally irresponsible, to defend in court.

25 Now, I could go line by line through

1 the entire history of this issue, but I'm not
2 going to. I'm going to give you a brief overview.
3 The Fourteenth Amendment of the US Constitution
4 holds that "No State shall ... deprive any person
5 of life, liberty, or property without due process
6 of law."

7 The Due Process Clause is not
8 restricted to nor found in other guarantees
9 enumerated in the Constitution. Rather, it is a
10 rational continuum which protects against
11 arbitrary and unnecessary restraints or burdens
12 placed upon the individual, here women, by the
13 government.

14 The constitutional protection of a
15 woman's choice with her family and her doctor and
16 her God, or whatever the family believes in as a
17 greater power or not, about the pregnancy
18 originates from the Due Process Clause of the
19 Fourteenth Amendment.

20 In the 1992 case Planned Parenthood
21 versus Casey, the Supreme Court of the
22 United States affirmed the 1973 ruling in Roe
23 versus Wade, the constitutional right to have
24 an abortion. The Casey court adopted what is
25 called the Undue-Burden standard, that "If the

1 primary purpose of a state's legislative or
2 regulatory scheme 'is to place a substantial
3 obstacle in the path of a woman seeking an
4 abortion before the fetus attains viability,'
5 an undue burden on a woman's right to decide to
6 have an abortion exists, and the provision of a
7 law is constitutionally invalid." That means
8 unconstitutional.

9 "While the state has a legitimate
10 interest in promoting life or some other rational
11 goal, a statute is nevertheless unconstitutional
12 if the effect of the [impugned] statute or
13 regulation creates an obstacle to a woman's free
14 choice."

15 The court in Casey held that
16 "... unnecessary health regulations that have the
17 purpose or effect of presenting a substantial
18 obstacle to a woman seeking an abortion impose an
19 undue burden on the [constitutional] right ..."
20 And you can check those quotes.

21 20 years later in 2016, Whole Woman's
22 Health versus Hellerstedt, the United States
23 Supreme Court was presented with the issue of
24 whether two provisions of Texas law, HB 2, the
25 first provision being the so-called Admitting

1 Privileges requirement and a second provision
2 regarding necessary clinic upgrades to meet
3 surgical center requirements violated a woman's
4 right to choose.

5 The court applied the Undue Burden
6 standard test utilized in Casey to that law and
7 determined the two provisions were in violation of
8 the Due Process Clause of the Fourteenth
9 Amendment. By finding the law in violation of the
10 Constitution, the Supreme Court of the
11 United States furthered the notion that the
12 Constitution protects a woman's right to choose
13 abortion, and courts have an obligation to
14 carefully review state regulation of abortion to
15 ensure that it respects the Fourteen Amendment's
16 guarantee of liberty for all.

17 The court held that the Undue Burden
18 standard requires the courts to consider the
19 burden the law imposes on abortion access together
20 with the benefits those laws confer. Therefore,
21 more than just rubber-stamping state laws is
22 needed to protect the rights of women. There
23 should be no rubber stamps.

24 Just last year a district court judge
25 ruled that the 15-week ban in Mississippi was

1 unconstitutional because it unequivocally violated
2 women's constitutional rights.

3 In a statute similar to this one, the
4 Eighth Circuit Court of Appeals struck down an
5 Arkansas law banning abortions at 12 weeks of
6 pregnancy if a fetal heartbeat is detected. The
7 court ruled by banning abortions after 12 weeks'
8 gestation, the act prohibits women from making the
9 ultimate decision to terminate a pregnancy at any
10 point before viability.

11 North Dakota's abortion ban, which
12 also banned abortion when a fetal heartbeat
13 is detectable, was also struck down as
14 unconstitutional. The district court issued a
15 preliminary injunction in 2013 to block
16 enforcement of that law and in 2014 struck it down
17 as an invalid and unconstitutional measure that
18 cannot withstand constitutional challenge.

19 The following is from the temporary
20 restraining order granted just last week against a
21 Kentucky bill, Senate Bill 9, that would have had
22 more or less the same effect as the legislation
23 before us today. Referring to those who oppose
24 the legislation, the restraining order says that
25 the "Plaintiffs have shown a strong likelihood of

1 a success on the merits of their Fourteenth
2 Amendment Due Process challenge to Senate Bill 9."

3 So you can see from the case law and
4 with laws that are substantially the same as what
5 we are looking at today, that the case for this
6 proposed legislation for Georgia violates the
7 privacy provisions of the Fourteenth Amendment and
8 is weak, if any justification exists at all.

9 For this reason, I call on each of you
10 to vote no on House Bill 481.

11 Now I'm going to speak to you as a
12 state senator. I, like the rest of you, took the
13 oath of office just two months ago. When we did,
14 we swore to, quote, "support the Constitution of
15 this state and of the United States and on all
16 questions and measures which may come before us,"
17 end quote.

18 This legislation, House Bill 481, would
19 be difficult and expensive to defend. But we
20 shouldn't even be defending or passing it in the
21 first place when doing so is in direct
22 contravention of our duty, our sworn duty.

23 Furthermore, we're also neglecting our
24 unstated obligation to perform due diligence by
25 ignoring the recommendations of such expert groups

1 as the Medical Association of Georgia, which has
2 submitted a letter here; the Georgia Academy of
3 Family Physicians; the Midwives of Georgia; the
4 National Association of Social Workers; Georgia
5 medical students; the Georgia OBGyn Society; and a
6 petition from the 7th Congressional District which
7 was delivered to us. Those are just to name a
8 few, but these are on your desk.

9 We also have failed yet again to obtain
10 a fiscal note. We have failed to obtain a fiscal
11 note and to understand the financial impact of
12 this legislation which significantly expands the
13 definition of a, quote, "dependent," and could
14 cost and will cost, if passed, this state millions
15 of dollars. Testimony before the Committee by the
16 author of the bill was 10- to \$20 million, but
17 that's just a guess. That's on top of the legal
18 fees Georgia taxpayers will have to pay to defend
19 this statute in court.

20 And let's talk about those attorney
21 fees for a second. Based on what we know about
22 other states' experiences in defending blatantly
23 unconstitutional law such as this, Georgia
24 taxpayers will be paying millions of dollars to
25 defend this law, a defense that they have not

1 asked for. They have not voted for us to do this.

2 And, in fact, a majority of Georgians do not
3 support this bill.

4 This recent Supreme Court case
5 regarding abortion cost the state of Louisiana
6 approximately \$4.7 million. Indiana spent
7 \$2.8 million; and Texas has spent more than
8 \$4.5 million defending laws; and Arizona, about
9 \$2.2 million.

10 Even Tennessee's Catholic bishops
11 recently concluded that, quote, "Given the field
12 of legal realities that we must consider, we
13 believe it would not be prudent to support the
14 'Heartbeat Bill' knowing the certainty of the
15 overturning of it when it is challenged, in
16 addition to the court-ordered fees that would be
17 paid ..." That is a statement from the Knoxville
18 Bishop Stika, the Nashville Bishop Spalding, and
19 the Archbishop Kurtz who is currently overseeing
20 the Memphis diocese.

21 As you can see from my somewhat short
22 survey of legal fees and the cost of defense, this
23 is not good use of taxpayer dollars. And we are
24 supposed to be stewards of those dollars, and we
25 are failing to do so. And we don't even know how

1 much we're spending.

2 So to recap, so far I've worn my
3 attorney hat and my senator hat. Now I'm going to
4 put on one more hat, and it's probably not the one
5 you're expecting. Yes, I am a mother. I am a
6 woman. But clearly our points about women
7 deserving equal rights and equal protection under
8 the law have fallen on deaf ears in this body and
9 in the body across the hall.

10 So I'm going to speak as someone who
11 grew up in Northwest Georgia, Walker County, rural
12 Georgia; as a person who moved between trailer
13 parks and a public housing project. My sister
14 Scarlet McGovern is here today. Please stand. We
15 grew up there together.

16 On the off chance this legislation is
17 able to make it through the courts, there will
18 still be a small population in this state who
19 cannot obtain safe, legal abortions.

20 The people affluent enough to travel to
21 states where they are legal will be able to get a
22 safe abortion. The only people truly impacted by
23 this legislation are those who come from families
24 like the one I grew up in, that my sister Scarlet
25 grew up in, and where currently there is no ob-gyn

1 in Walker County. I looked it up.

2 There are a few words that are thrown
3 around a lot in debates like this: values, moral,
4 immoral, quoting scripture. I want to talk for a
5 second about the word "immoral." When I walked in
6 this morning, I was shocked by the number of
7 police cars lined up outside here by the Capitol.
8 As a former federal prosecutor who has prosecuted
9 some of the most egregious crimes, I have never
10 seen such a police presence. And I ask you, if
11 we need this much police presence and law
12 enforcement, we might be doing somebody wrong.

13 I would say it's pretty clearly immoral
14 if we're going to sit here in this fancy marble
15 building in the middle of a thriving metropolis
16 and ignore the true weight of this legislation and
17 to forget the desperation of those who would be
18 affected by it; people like the family I grew up
19 in, the very people so many of you represent or
20 are supposed to be representing. I ask you to
21 think about that.

22 Thank you, Mr. President. I yield the
23 well.

24 CHAIRMAN DUNCAN: Thank you, Senator.

25 Chair recognizes the senator from the

1 14th to speak to the measure.

2 SENATOR THOMPSON: Thank you,
3 Mr. President.

4 I rise today in support of HB 481 more
5 commonly known as the heartbeat bill. My support
6 is not because it's politically correct or that
7 science supports that these little ones are alive
8 and valuable. My support is rooted not only in my
9 faith but because this issue is deeply personal.

10 It's deeply personal to me and to many
11 others in our state, and this issue has been
12 impacted and affected my life for the last
13 30 years. You see, it's an issue that people on
14 both sides are deeply passionate about and for
15 several different reasons. We often talk about
16 being a voice for those that have no voice, and I
17 100 percent agree. But that statement refers to
18 the unborn.

19 I would ask you what about the poor
20 girl that's faced the abortion? Have we
21 considered how this decision affects her and the
22 multitudes of others in her life?

23 Each and every one of us have a story,
24 our story. Please allow me to share mine. It
25 involves four young women. You see, I was married

1 when I was 23 years old, and I was incredibly
2 excited about starting this new chapter in my
3 life. Like many young couples, we didn't have
4 much money. We had each other, and we had a plan.

5 And over the next four years, we bought
6 a house; paid off student loans; and then in our
7 fourth year into the marriage, we began to try to
8 have a child. We tried for one-and-a-half years
9 using -- because of infertility, we used drugs and
10 all the other procedures and treatments. It was
11 extremely frustrating and very emotional. For
12 those of you that endured or experienced
13 infertility, you understand.

14 One particular day I came home from the
15 office to find my wife curled up on the floor in
16 tears. She wasn't just a little upset. She was
17 physically and mentally exhausted from sobbing all
18 day. After nearly two hours of consoling her and
19 wondering what in the world would have caused her
20 to be so upset, she revealed a deep, dark secret
21 that she had hidden from me and most of the world
22 for many years.

23 You see, she had terminated a pregnancy
24 years and years ago, and it had haunted her all
25 these years. Now she was convinced that God would

1 not allow her to get pregnant because of her
2 actions. She said, at the time, I didn't think I
3 had any other choice. I was young, scared, and
4 alone.

5 We sought out professional counseling
6 to help her grieve and to understand that the God
7 that we believed in was full of grace, mercy, and
8 forgiveness. And I hoped and prayed she could
9 forgive herself as we thought to get back to being
10 Barbie and Ken. But, you see, that was not
11 enough. She just couldn't forgive herself.

12 She turned to alcohol and many other
13 vices. And a year and a half later, our storybook
14 marriage ended in divorce. See, the divorce
15 didn't end there. She continued to spiral down
16 for the next five years until she nearly succeeded
17 in ending it all.

18 A few years later, the Lord brought
19 me a sweet girl from Mississippi, and several
20 months later we were engaged. Becky dealt with
21 endometriosis for most of her life. But it was
22 during our engagement, we had discovered that she
23 had accelerated endometriosis that had destroyed
24 part of her colon, an ovary, the cecum, and much
25 more. The result was an emergency hysterectomy.

1 Our dreams crashed. We had hoped to start a
2 family one day. But clearly this development
3 meant we would never have biological children, and
4 the heartbreaking reality set in for both of us.
5 "Why Lord?," we asked.

6 Three years passed, and we decided to
7 adopt, as many of you know. We started the
8 process, and it was extremely difficult and
9 expensive as all get-out. After becoming
10 frustrated with the process, we decided to go a
11 private adoption route and began contacting
12 thousands of people in search of an opportunity.

13 That opportunity came one day when I
14 called a center in Nashville, Tennessee. And that
15 day a scared 20-year-old girl was sitting with a
16 counselor. You see, she was all alone, scared,
17 and feeling inadequate. Sound familiar? She had
18 decided an abortion was her only option. And with
19 the termination papers and a pen in her hand, she
20 was prepared to end her five-month pregnancy.

21 But God had a different plan. It was
22 then at that time the phone rang -- our phone rang
23 into the center. And after much discussion, she
24 realized that she had another option. Today that
25 young woman lives a happy, fulfilled life in

1 another state.

2 Ladies and gentlemen, there are women
3 all over this state that have made the un-fateful
4 decision to have an abortion. As I stand here
5 before you, many of these young ladies not only
6 regret it, but they take it with them for the rest
7 of their life.

8 Listen to these statistics, not from me
9 but a 2011 study published in a British Journal of
10 Psychiatry. The study examined 877,000 women of
11 which 164,000 had an abortion. The women who had
12 an abortion were 81 percent more likely to
13 experience mental health struggles, 34 percent
14 more likely to develop anxiety disorder,
15 37 percent more likely to experience depression,
16 110 percent more likely to abuse alcohol,
17 155 percent more likely to commit suicide,
18 220 percent more likely to abuse marijuana and
19 drugs.

20 I realize that tremendous passion
21 exists on both sides of this issue, and I don't
22 want your personal stories -- I don't know your
23 personal stories or how you may have been
24 impacted, but I hope as challenging as this was to
25 share mine, that you'll consider the decision of

1 terminating a pregnancy is much more than just
2 ending the life of a baby or a child. It impacts
3 that woman for life and the family for generations
4 to come.

5 With that, my friends, I ask that you
6 prayerfully consider supporting this bill.

7 I yield the well.

8 CHAIRMAN DUNCAN: Senator has yielded
9 the well.

10 The Chair recognizes the senator from
11 the 44th to speak to the measure.

12 SENATOR DAVENPORT: Thank you very
13 much, Mr. President.

14 I rise this evening to oppose House
15 Bill 481. Colleagues, I'd just like to talk a
16 little about maternal mortality, the death of a
17 woman caused -- related to her pregnancy during
18 and approximately a year afterwards.

19 There are disparities in healthcare.
20 And I'm concerned because we haven't expanded
21 Medicaid. I am concerned about poverty and
22 healthcare. And it's all about access to
23 healthcare.

24 Giving birth to a child is supposed to
25 be the happiest time of your life; and many times

1 it ends up being a nightmare, a deadly event.
2 Time and time again persons tell us about events
3 where the patient was fine and then died. The
4 quality of care is the problem.

5 There is a lack of mental health
6 services. And then you have rural health
7 hospitals, have limited stored blood products.
8 Then there's a lack of diligent follow-up for
9 women with complications and women with chronic
10 health issues postmortem. Hemorrhaging is the
11 leading cause of death. It's hard to predict, and
12 still more could have been done during labor.

13 Colleagues, I want you to understand
14 that banning abortions does not eliminate
15 abortions. It just makes it less safe and puts
16 more pregnant women at risk. Thousands of women
17 lost their lives to unsafe abortions before Roe
18 versus Wade. And since legalization, it is one of
19 the safest medical practices in the US.

20 You know, in the 1960s, rich girls got
21 safe abortions. And then poor girls many times
22 got unsafe abortions with complications from
23 infections, and then some of them just bled out.
24 You know, that's a hard pill for parents to
25 swallow. And it's hard for their friends. Those

1 who loved those girls so much, it was hard for
2 them to absorb.

3 I digressed a little, but let me just
4 get back to maternal mortality. This is an
5 important discussion. There have been many
6 studies and reports. One report suggests that
7 women are in poorer health when they get pregnant
8 and are not getting proper care.

9 Dr. Brenda Fitzgerald, an ob-gyn, wrote
10 that "Chronic health conditions like obesity,
11 hypertension, diabetes, and heart disease are more
12 and more common in pregnant women. These
13 conditions make delivery more dangerous."
14 And then a report from the Georgians for a Healthy
15 Future say that "More than 70 of the state's 159
16 counties do not have OB-GYNs. Since 1994, 35
17 labor and delivery units, mainly in rural
18 hospitals, have closed." And then closures have
19 accelerated in recent years according to the
20 Georgia OBGyn Society.

21 The review indicated that 70 to 80
22 percent of women who died had received prenatal
23 care, but then it's still not clear how regular
24 and how extensive that care was. The report says
25 that only 35 percent began prenatal care in the

1 first trimester.

2 So we do understand that it's about the
3 access to care. And it's not just rural Georgia.
4 It's all over Georgia. Education and prenatal
5 care are both important. Women must know that
6 they can still hemorrhage after leaving the
7 hospital. So you need some healthcare.

8 You can have a good job with the best
9 insurance, a high-paying job; but then in an
10 instance if you're laid off or you go on contract
11 work, then you do not have that insurance. And
12 let's think about it. People who do not have
13 insurance put off going to the doctor. They put
14 off getting care. They just don't have it. And
15 so they wait until it's too late. So we want to
16 take care of these people.

17 So a summary of the report that
18 highlights questions raised by maternal outcomes
19 within a global community, the analysis of the US
20 research, says that "maternal health and death are
21 influenced by socioeconomic, cultural, and
22 political environments, which are shaped by
23 policy-level decisions."

24 So in conclusion, we are number 48 in
25 maternal mortality. So we must address this issue

1 about healthcare and providing quality healthcare
2 because the quality of care is the problem. We
3 must be concerned about this access to care.

4 So I'm here today just to say I oppose
5 HB 481, and I advocate for choice. And I suggest
6 and recommend that we give women the right to make
7 decisions about their own bodies and not the men.

8 Mr. President, I yield the well.

9 CHAIRMAN DUNCAN: Senator has yielded
10 the well.

11 Chair recognizes the senator from the
12 28th to speak to the measure.

13 SENATOR BRASS: Thank you,
14 Mr. President.

15 I rise today to tell everyone here I am
16 pro-choice. Every women should have a right to
17 choose their own doctor, to choose their own
18 partner, to choose their own place to live, choose
19 their own job, and there are many others. And a
20 fundamental role of government is to protect these
21 liberties.

22 Another fundamental role of government
23 is to protect the most sacred unalienable right
24 endowed to each of us: Life. And nobody is
25 allowed to choose to kill an innocent human being

1 simply because they are in the way. Abortion is
2 wrong because it intentionally kills innocent
3 human beings. And a society that allows abortion
4 is a society that has adopted the idea that some
5 human beings matter more than others. And that,
6 my friends, is a dangerous idea.

7 We all know that ideas have
8 consequences, especially in this place. But
9 dangerous ideas have victims. And the dangerous
10 idea that some human beings matter more than
11 others is the same one that produced the Holocaust
12 and slavery, both of which we still feel the
13 ill-effects of today. So what we decide about
14 abortion in this state and in this nation, it does
15 matter. And future generations will be looking to
16 us with either pride or disgust.

17 Now, almost all the justifications
18 given for abortion assume that the unborn is not a
19 human being like you and like me. And if the
20 unborn were not human, then killing them requires
21 no more justification than getting a haircut or
22 simply getting a tooth pulled.

23 But I'll be the first to admit these
24 justifications are unquestionably important
25 issues. Appeals to privacy, poverty, disability,

1 the child being unwanted, neglected, women being
2 able to pursue their education, their career.
3 Again, very serious and very complex issues but
4 none of which would justify killing a
5 two-year-old.

6 No one in their right mind questions
7 the humanity or the value of a toddler. So what
8 we want to know is whether the unborn is human
9 like the toddler is human? So let's focus on
10 answering the question, what is the unborn? And
11 let's do that before we begin to talk about
12 killing it. And if we focus on that and that
13 alone, abortion becomes a very simple issue.

14 So what is the unborn? Science has
15 definitively answered that question. Leading
16 embryology books say that from the very beginning,
17 from conception, the unborn is living. It is
18 distinct, and it is whole. It is a whole human
19 being.

20 So how is it living? It fits the
21 definition of an organism that we all learned
22 about in junior high Life Science class. It
23 grows, meaning it undergoes cellular reproduction;
24 it metabolizes, meaning it turns food into energy;
25 and it responds to stimuli.

1 What makes it distinct? Well, it is a
2 separate entity from its mother with its own
3 unique genetic code that is different from its
4 mother's and yes, its father's. If it was part of
5 a woman's body and not simply attached to her, a
6 pregnant mother would be said to have four arms or
7 four legs or two heads. And we all know that's
8 crazy.

9 Is it whole? When you scratch your
10 arm, your skin cells, all of which contain your
11 DNA, they fall to your lap or the ground in front
12 of you. Some of those cells are still alive when
13 they land there, and they will die in a couple of
14 minutes. But you have not just committed mass
15 murder. Your skin cells, just like your other
16 cells, are part of you. Their job is to
17 contribute to the overall function of the
18 organism: You.

19 Unlike your skin cells, an embryo is a
20 whole entity in and of itself. Even at the
21 single-cell stage, its parts contribute to its
22 overall function. And it goes on to do something
23 remarkable.

24 And this leads to another crucial
25 difference. We tend to think of embryos as things

1 that are constructed, nothing more than a sum of
2 their parts. Things that are put together piece
3 by piece. This is why we commonly hear things
4 like, it's just a clump of cells, or it's just a
5 chunk of tissue as if you could add more parts to
6 it and all of a sudden there's a baby.

7 But the embryo does something that no
8 constructed thing could ever do. The embryo
9 develops itself from within. None of us were
10 constructed. From the point you came into
11 existence as a single-celled human being or a
12 single-celled embryo, you drove your own
13 development to whatever point you are at today.
14 And many of us are still developing.

15 But we aren't just a sum of our parts
16 like a piece of machinery. Human beings are the
17 kinds of things that come into being all at once
18 and then mature accordingly. And when does all
19 this happen? At conception.

20 Now, the only difference in you as an
21 adult and you as an embryo -- it's simple. It's
22 four things: your size, your level of development,
23 your environment, and your degree of dependency.

24 So first, let's look at size. Yes,
25 embryos are smaller in size than newborns and

1 adults. But are large people more valuable than
2 small people? Men are generally larger than
3 women. But does that mean that they should
4 deserve more rights? Size is not relevant in this
5 argument.

6 Second is the level of development.
7 Yes, embryos are less developed than newborns.
8 They are less developed than adults. But my
9 two-year-old daughter is less developed than my
10 four- and five-year-old sons. Should my boys have
11 more rights than my daughter? Again, level of
12 development is irrelevant in this argument.

13 Third is the environment. Where you
14 are has no bearing on who you are. And I'm going
15 to say that again. Where you are has no bearing
16 on who you are. Your value as a human did not
17 change when you left your home today. So explain
18 to me how the unborn can simply move a few inches
19 down a birth canal and all of a sudden go from
20 nonhuman to human. Explain to me if the unborn is
21 not human, how changing their location all of a
22 sudden makes them valuable.

23 Fourth and final is degree of
24 dependency. If viability makes us human, the
25 newborns who cannot feed themselves or take care

1 of themselves have no right to life. A diabetic
2 requiring insulin has no right to life.

3 I look around this body, and I look up
4 in the gallery, and I know we're all different.
5 We all think different. But I hope we can all
6 agree on several things. I hope that we can agree
7 we all come in different shapes and sizes. We
8 come from different parts of the globe. We have
9 different degrees of development and different
10 levels of dependency, yet we are all equal. Yes,
11 we are all equal because we share a common human
12 nature.

13 Thank you, Mr. President. I yield the
14 well.

15 CHAIRMAN DUNCAN: Thank you, Senator.

16 The Chair recognizes the senator from
17 the 34th to speak to the measure.

18 (No response.)

19 The Chair recognizes the senator from
20 the 35th to speak to the measure.

21 SENATOR JAMES: Thank you,
22 Mr. President.

23 I had to squeeze through the cars this
24 morning that were blocking the street. I didn't
25 know what was going on; if I should come in this

1 building or not. I've been here since the '90s
2 off and on. I've never seen such a thing. But I
3 committed to the people. I'm not committed to the
4 politics always. It was a tangled maze that was
5 leading in, and I didn't know who, what, when,
6 where, or why. But I came in, and I was praying.
7 I'm Christian.

8 And I was called out in the hallway on
9 the ropes a little while ago by friends that I've
10 known for years who are strong Christians. We've
11 been in a clergy organization together. I've
12 spoken at some of their churches. And they called
13 me out and truly admonished me because they
14 assumed that I was going to speak against the bill
15 because I have on all white. They were right.

16 I'm asking that you who have decided to
17 vote for it look at it again even and make your
18 decision. And I hope that we can vote this bill
19 down. Because, yes, I'm a Catholic, but I'm a
20 Catholic for pro-choice. They reminded me that I
21 shouldn't go against the Catholic hierarchy and
22 the beliefs of many. And I am still personally
23 committed to the instruction book that I've always
24 had, and I call that the Holy Bible.

25 And I was thinking about Ephesians 6

1 and 12 that says, "For we wrestle not against
2 flesh and blood, but against principalities,
3 against powers, against the rulers of darkness of
4 the world, against spiritual wickedness in high
5 places."

6 I had prayed all morning the beatitudes
7 where Jesus said to the disciples when he opened
8 his mouth and talked to them saying, "Blessed are
9 the poor for theirs is the kingdom of heaven." I
10 thought about the poor who want to do things with
11 their bodies that I might not do to mine. And
12 then I thought about them, "Blessed are the
13 merciful ... Blessed are the pure of heart...
14 Blessed are the peacemakers for they are called
15 the children of God," and it goes on and on.

16 So I'm using my free will that my Bible
17 teaches me, that God gave us because I have to
18 answer for myself. I can't answer for anyone
19 else, and you can't answer for me when that day
20 comes. So God gave me that free will, and I
21 believe it.

22 You know, my family's very
23 conservative, and they might not even all agree
24 with me. But they didn't even agree that I should
25 come and be a politician; but they trust me, and

1 they truly support me.

2 I believe that God gave us this free
3 will, and it's given to all of us. And we should
4 use it. So I used the right and the privilege to
5 marry before sex or anything with my husband who
6 is in Heaven now. We decided when to have
7 children, and God only blessed us with two.

8 So one might say that I'm pro-life.
9 Maybe I am if that's my free will, but I'm
10 pro-choice because I think that everyone should
11 have the same right that God gave me and others to
12 decide what they want to do with their bodies. So
13 I trust women. And why trust women? What does it
14 mean to trust women and value individual
15 consciousness?

16 World-renowned experts agree, even
17 Catholics, and many other people of different
18 faiths all over the world believe that pro-choice
19 is what God has given us a chance to do. They
20 have to answer to themselves, to maybe their God
21 or their religion, and maybe to their spouse.

22 It was Helen Reddy that said in her
23 song that I Am Woman. And this is why I trust
24 women. I know who I am. I have five sisters and
25 no brothers. I grew up with a strong grandmother,

1 great grandmother, and my beautiful mother. And,
2 I am woman, hear me roar, in numbers too big to
3 ignore; and I know too much to go back and
4 pretend, cause I've heard it all before; and, you
5 know, I've been down there on the floor and no
6 one's ever going to keep me down again.

7 So, yes, I am wise, but it's wisdom
8 born of pain. Yes, I've paid the price, but look
9 how I've gained. If I have to, I can do anything
10 because I'm strong. I'm invincible. I'm woman.
11 And I feel that other women should be able to do
12 what they need to do.

13 Politicians said that Catholics of
14 choice say that Catholic bishops are allowing
15 women to be treated as second-class citizens,
16 especially in facilities supported by public
17 dollars because they say that we just keep
18 chipping away and chipping away and chipping away
19 at Roe versus Wade. And that's that bill that a
20 lot of people don't want to hear about and say is
21 wrong.

22 But on January the 22th of 1973, the US
23 Supreme Court handed down its landmark decision in
24 the case of Roe versus Wade which recognized that
25 the constitutional right to privacy extends to a

1 woman's right to make her own personal medical
2 decisions including the decision to have the
3 abortion without interference from politicians.

4 The court held that a woman has the
5 right to choose abortion care until fetal
6 viability. That's God's law I talked about
7 earlier, and that's man's law. In stages of
8 pregnancy -- this particular bill, one reason that
9 I really couldn't support it, it's been debated
10 for so many years: When does a baby really
11 happen? Is it an embryo? You know, when?

12 Well, first, it's conception. Then
13 it's the first trimester. And that starts at
14 4 weeks to 14 weeks, not 6 weeks. And then it's
15 the third trimester -- the second trimester is
16 16 weeks to 26 weeks, and the third trimester to
17 28 weeks to 38 weeks. And then lastly the baby
18 comes at 40 weeks.

19 But this bill, HB 481, calls for
20 6 weeks, and that's before most women even know
21 that they're truly pregnant. The embryo is about
22 one-fourth inch long, not, what, 14 inches long.
23 At that particular time of 6 weeks, one-fourth
24 inch long, the embryo does not have a brain yet.
25 It's beginning to get a head and a torso, but

1 that's all. Some people say it looks like a
2 peapod.

3 And it's a pumping that begins. But
4 what I learned in biology is that it is a vessel
5 that begins and eventually turns into a heart
6 maybe at 8 to 12 weeks. It's not a heart yet. So
7 the heart is not beating, in my opinion, from what
8 I learned in school. And I do have a Ph.D. Thank
9 you very much.

10 You know, I'm truly appalled that I
11 have to stand here today to defend or address this
12 personal issue about what a woman should be doing
13 with her body. I am, like I said earlier, one of
14 five daughters. My mother had no boys. And, you
15 know, I want all of my sisters and all of the
16 people that I represent to do what they need, you
17 know.

18 In state legislatures across the nation
19 from Oregon to Illinois to New York, but not in
20 Georgia, have passed a wave of progressive laws to
21 protect access to abortion and safeguard a woman's
22 autonomy to make her own moral choices over deeply
23 consequential reasons, deeply complex decisions
24 around when and whether to continue a pregnancy.

25 You know, the so-called heartbeat bill

1 that we have now has been passed in some other
2 states, and it's always -- already having trouble.
3 About 90 individual organizations testified
4 against this bill in, say, Ohio, for example. It
5 included some national organizations that's
6 standing with us here in Georgia: the American
7 College of Obstetricians and Gynecologists; State
8 Medical Association; Ohio Religious Coalition for
9 Reproductive Rights; the medical professionals in
10 many states; and the group that I'm a part of,
11 Catholics for Choice; and so many different other
12 organizations and doctors and nurses.

13 The president of Catholics for Choice
14 said abortion is a personal choice and not
15 something in which legislatures need to insert
16 themselves. And I quote, "As Catholics in full
17 accordance with the teaching of our faith, we
18 shape and advance sexual and productive ethics
19 that are based on justice, reflect a commitment to
20 women's well-being, and respect and affirm the
21 capacity in women to make moral decisions about
22 their lives."

23 And I know that my husband and I wish
24 we could have had ten children if God had so
25 blessed us. We only had two boys. So we

1 didn't -- that was our choice, and that's what we
2 did.

3 So in closing, I just want to say,
4 "Yes, I am wise, but it's wisdom born of pain.
5 And, "Yes, I've paid the price, but look how much
6 I gained." If I have to, I can face anything.
7 Yes, "I am strong. I am invincible. I am woman."
8 I am woman. I am woman.

9 So let us obey God's law and man's law.
10 Let's vote no to HB 481.

11 Mr. President, I yield the well and ask
12 that all of you trust a woman and trust her to do
13 what she can with her free will.

14 I yield the well.

15 CHAIRMAN DUNCAN: Thank you, Senator.

16 The Chair recognizes the senator from
17 the 54th to speak to the bill.

18 SENATOR PAYNE: Thank you,
19 Mr. President.

20 Friends, I rise today in support of
21 House Bill 481 just two days following my family's
22 praise to God in the birth of my first grandson.

23 But long before two days ago on April
24 4th, 1990, nearly 29 years ago, my wife and I
25 entered the hospital in anticipation of our first

1 child's birth. Not knowing if we would have a boy
2 or a girl, we found ourselves as all new parents
3 do just trusting God in all that would come.

4 That day we received -- that day we
5 received our daughter, and we named her Heather.
6 Six months later I returned home from working the
7 nightshift at the Youth Development Center, known
8 as the adult in our YDC, as a youth development
9 worker. And I got home about 1:00 in the morning.

10 As I walked in, I thought I would look
11 in at my daughter. And as I looked in, she was
12 lying there awake, laying on her back, less than
13 six months old. And she was looking in one
14 direction. And when I veered over the crib, she
15 turned and looked at me. And then gave me the
16 most precious smile. And I was just overwhelmed
17 because in just a few weeks, she already knew who
18 I was. She already knew who I was.

19 So that night I stayed up, and I just
20 was overwhelmed by the moment. And I stayed up,
21 and I wrote this poem for my wife. And it's on
22 each of your desks. The title of this poem is
23 God's Smile. And I wrote this for my wife.

24 "The pains had started, but it would be
25 a while yet as the baby wouldn't arrive until your

1 body was set. We were so nervous and scared of
2 the unknown." I was only 25.

3 "We were so nervous and scared of the
4 unknown. I'm glad you were for I couldn't have
5 done this alone.

6 "As the day went along, the pains would
7 get worse. The nurses had warned that you'd
8 probably curse. It would be a boy, so we
9 believed; but God doesn't show what's up his
10 sleeve.

11 "Now the pains are really strong.
12 O Dear God, let nothing go wrong. I tried and I
13 tried to ease your pain, but no matter what, they
14 would always remain.

15 "A nurse came in. 'Its time to have
16 this child.' They told you to push, and you
17 really went wild. You pushed and you pushed until
18 the head popped out. It was so big, no wonder you
19 shout.

20 "Just a few more pushes. We were
21 almost there. This baby sure doesn't have much
22 hair. 'It's a girl,' they shouted as I grinned
23 ear to ear. God was smiling through me at what
24 he'd put here. They handed her to you. You
25 should have seen your face. God was smiling

1 through you too. I'd know that smile anyplace.

2 "Now sometimes we argue and jest whose
3 features she has and who she likes the best. She
4 has your nose. She has my eyes. But she has
5 God's smile, and that's no surprise."

6 Unlike those in 1973, medical science
7 has shown the viability of life in utero. We now
8 know so much more than we did when Roe versus Wade
9 passed. Because of the advances in medicine and
10 technology, we know that any child with a
11 heartbeat just as anyone in this room, they
12 possess their own and unique DNA, their own and
13 unique blood type. They have brain functioning
14 and have begun developing motor skills. Most
15 importantly, we know that a child with a heartbeat
16 feels pain the same as any of us.

17 Two days ago my daughter gave birth --
18 two days ago my daughter gave birth to a miracle
19 just as she was 28 years ago. No one names
20 tissue. No one gives a name to tissue. My
21 grandson's name has been known for many months.

22 We are a nation that was founded on a
23 promise. A promise that each and every soul was
24 endowed by our creator with certain and
25 inalienable rights, which means they cannot be

1 taken away; that we all have a right to life,
2 liberty, and a pursuit of happiness. What we need
3 to understand is this is bigger than us. It's
4 bigger than the issue of the last 20, 30, 40 years
5 in this country. A political issue. We're
6 looking at the future of our nation.

7 Because the truth of the matter is it
8 was a contest to find out could people live
9 without a king? And what rights do individuals
10 have that they could live -- without a king above
11 them to tell them how they could live, to tell
12 them how they should live, to tell them if they
13 could be free?

14 The question we have in front of us is:
15 Are we still going to be a free nation? Do we
16 have a right to life? Do we have a right to
17 liberty? And do we have a right to the pursuit of
18 freedom and happiness?

19 Because the truth of the matter is, is
20 the very second that we decide that one person
21 doesn't -- and that's the question here. It's
22 personhood. The question -- as soon as we realize
23 that one person doesn't, the truth of the matter
24 is none of us do. None of us do. And once it's
25 deemed that none of us do, heaven help our country

1 and our nation and our state.

2 I ask you to support this bill and this
3 measure before you. Many of you know I don't come
4 to the well very often, but I just hope we'll make
5 the right decision. I pray we make the right
6 decision.

7 Let's remove ourselves from this
8 equation. Let's remove our grandstanding from
9 standing at this podium and for our folks back
10 home. And let's just take a moment and sit at our
11 desk and say a prayer and ask God to give us
12 direction and simply follow him. That's what
13 truly gave birth to a nation.

14 Thank you, Mr. President, and I'll
15 yield the well.

16 CHAIRMAN DUNCAN: Thank you, Senator.

17 Chair recognizes the senator from the
18 42nd to speak to the measure.

19 SENATOR PARENT: Thank you,
20 Mr. President.

21 Abortion is a very complex and
22 emotional topic. It's not black and white because
23 nothing about raising a child is black and white.

24 Women get angry when a legislature that
25 is almost 70 percent male considers legislation

1 that has very serious repercussions for women,
2 their health, their lives and livelihoods. That
3 is because laws about forcing a woman to give
4 birth when it may not be the right time for her or
5 her family is not something that one can truly
6 grasp, truly understand on a gut level until your
7 life, your future is the one under consideration.

8 Maybe some men have had it hit them
9 almost as hard when it was their girlfriend or
10 daughter, but it is not the same thing. And
11 that's how it was for me. Growing up abortion to
12 me seemed scary and like something immoral,
13 something that people would only whisper about.

14 But it was when I grew to be 17 or
15 18 years old that I fully comprehended the
16 ramifications to my life if I had a baby as a
17 teenager. I never had to make that decision,
18 thankfully. But I realized at that time that it
19 would have been completely changed the trajectory
20 of my life, of my education, of my career goals,
21 and of my plans for marriage and family when the
22 time was right.

23 Men by and large cannot truly
24 understand this the way women do because it is not
25 something that can happen to them and throw off

1 the course of their lives.

2 Throughout the history of humankind, it
3 is women who have done the work of giving birth to
4 the next generation and the large majority of the
5 work raising children. So we take umbrage when
6 men tell us that we have to give birth and spend
7 the next 18 years raising that child if we don't
8 want to or if we can't.

9 Access to abortion and contraception
10 means a woman can take charge of her educational
11 and career goals. The ability to put off having a
12 child and to decide when the time is right to have
13 a family has a very powerful impact on a woman's
14 economic stability and mobility.

15 Affordable quality childcare is
16 currently a huge problem in our state. According
17 to a study released last fall by the Metro Atlanta
18 Chamber of Commerce and the Georgia Early
19 Education Alliance for Ready Students, or GEEARS,
20 over a quarter of Georgia's parents of children
21 under five reported a significant disruption to
22 their or a family member's employment: quitting,
23 not taking or greatly changing a job in the past
24 year.

25 This study found that these challenges

1 lead to at least \$1.75 billion in economic
2 activity annually lost and an additional \$105
3 million in lost tax revenue. The cost of
4 childcare for an infant or toddler in Georgia
5 exceeds 40 percent of the earnings of a low-income
6 family.

7 Since this is already a problem for our
8 state and many of its families, if the State of
9 Georgia limits the ability of women to make
10 personal reproductive decisions, then it follows
11 that we also have an obligation to ensure that
12 mothers have the necessary resources to support
13 their children.

14 If the State is going to mandate that a
15 woman give birth, it must also mandate or pay for
16 paid maternity leave and high-quality childcare
17 starting when the baby is four weeks old until he
18 or she begins kindergarten to ensure that the
19 mother's education and career is not derailed by
20 the State's mandate that she give birth to the
21 child. I had an amendment to that affect but was
22 unable to present it.

23 Since the majority party is interested
24 in establishing the rights of fetuses at
25 conception, why should the concern and support of

1 the rights and livelihood and at birth [as said]?

2 If the majority party is genuinely
3 invested in the sanctity of life, they would also
4 prioritize access to healthcare, Medicaid
5 expansion, paid family and medical leave,
6 affordable childcare, and other public policies
7 that support maternal health.

8 However, Georgia has one of the highest
9 rates of child poverty in the country at over
10 20 percent. We are worse than all states but
11 three others. That's pathetic. Our child poverty
12 in this state, as large as we are and as large as
13 our economy is, is worse than every state other
14 than three, and it's over 20 percent. The
15 government, which means us, clearly is not doing a
16 good enough job of taking care of the children who
17 are already here.

18 There are serious legal and logistical
19 concerns as well surrounding this bill, especially
20 its recognition of fetuses as people with rights
21 equal to the women carrying them. If it were ever
22 attempted to be implemented, it would open up a
23 legal and ethical minefield. The implications
24 could mean that there would no longer be an
25 ability to use reproductive assistance like

1 in vitro fertilization, and there could be an
2 imposition of all kinds of restrictions on the
3 lives and freedoms of pregnant women.

4 First on the list of unworkable
5 problems in the legislation is the mandate that
6 the father pay for medical- and pregnancy-related
7 expenses. How do we know who the father is? The
8 technology isn't there for safe paternity tests
9 that early in a pregnancy. The tax deduction for
10 the fetus is another, which, of course, has a
11 fiscal impact. Talk about being ripe for tax
12 fraudsters? I've heard no discussion about how we
13 intend to address that problem.

14 What about women who use drugs or
15 engage in other unsafe or risky behaviors while
16 pregnant. Once a child is born, the State has the
17 division of Children and Family Services to step
18 in when a child is endangered by the actions of
19 its parents. If the State through this
20 legislation is extending the same rights to unborn
21 children, it follows that the State will need to
22 investigate or surveil women who engage in
23 behavior that could be detrimental to their fetus.
24 Would it be possible at this point for the woman
25 to lose guardianship of her fetus while it is

1 still inside of her?

2 What if the person claiming to be the
3 father thinks that the mother is an unsafe mother?
4 Could he be granted custody by a court? Could the
5 pregnant woman be prevented from traveling across
6 state lines if the putative father believes that
7 the mother is attempting to kidnap the fetus?
8 Could a woman be locked up or surveilled for the
9 duration of her pregnancy? If she engaged in
10 unsafe behaviors and miscarried, could she face
11 murder or manslaughter charges?

12 Will we now have a new department of
13 fetal protection at DFACS? What about a mother
14 who says she had a miscarriage, but someone
15 suspects that perhaps she truly had an abortion?
16 How will our state go about investigating that?
17 Will law enforcement search her home, seize her
18 phone and computer to determine her intent?

19 What about women who may not do
20 something as dangerous as abusing drugs during
21 pregnancy but aren't careful about taking their
22 prenatal vitamins or they might eat foods during
23 pregnancy that doctors recommend they not eat like
24 foods high in mercury such as tuna, processed
25 meats, and unpasteurized cheeses?

1 Recommendations to women during
2 pregnancy are constantly evolving. They are very
3 different between my two pregnancies, which were
4 only two- and three-quarters years apart.

5 How will the government determine which
6 recommendations need to be enforced by the State
7 against a pregnant woman as the government steps
8 in to take charge of the fetus? These and many
9 other questions remain unanswered, but they are
10 very real and very significant issues.

11 We have crises in our state of maternal
12 mortality, infant mortality, child poverty,
13 affordable childcare, a serious shortage of
14 ob-gyns and doctors in rural Georgia. We should
15 address those issues. Issues that impact children
16 who are already here, that is what we should spend
17 our time on.

18 This is a difficult issue. It's a
19 tough issue. It's an emotional issue. But women
20 realize that life is not black and white. We
21 realize that abortion is not black and white but
22 very, very gray.

23 I urge you to vote against this bill.
24 Women can listen to information, evaluate it, and
25 come to our own wise decisions.

1 Thank you, Mr. President. I yield the
2 well.

3 CHAIRMAN DUNCAN: Thank you, Senator.

4 Chair recognizes the senator from the
5 17th to speak to the measure.

6 SENATOR STRICKLAND: Thank you,
7 Mr. President.

8 You know, the other night after about a
9 five-hour judiciary committee hearing -- and, yes,
10 they can last about five hours this time of year.
11 About as long as this debate, I think -- I decided
12 to call my mama on the way home. And I was
13 telling her about what was going on at the
14 Capitol, and I told her about his bill.

15 And she said, well, Brian, that's
16 pretty simple, isn't it?

17 And my mom knows I'm a lawyer, and so
18 nothing's ever simple. And I said, Mama, it's a
19 little bit more complicated than that.

20 I won't go on to tell you the advice
21 she gave me after that, but I can tell you this:
22 When you get away from this bubble of this
23 building, you get away from the signs out there,
24 you get away from the emails, you get away from
25 the phone calls, you get away from the debates

1 that we have here, maybe this issue is not really
2 as complicated as we think.

3 And there are two moments for me in the
4 last couple weeks where I confirmed that voting
5 for this bill was the right thing. The first was
6 when three activists called me out to the ropes
7 last week, and we had a great discussion. They
8 were very kind people. And we start discussing
9 this and said, isn't this what this is really
10 about, is the value of privacy versus the value of
11 life?

12 And so I looked at them, and I said, so
13 tell me, do you agree at least with this point:
14 At some point, the value of life outweighs that
15 privacy, at some point? Do you at least believe
16 that?

17 And two of them said, yes, I believe
18 that. And they said, to us, it's the 20 weeks is
19 the current law.

20 I said, okay. That's fair.

21 The third person looked at me and said,
22 no.

23 I said, okay. I said, we're going to
24 have to disagree on that.

25 But then what she said to me has

1 haunted me ever since. She said, do you really
2 want unwanted children?

3 Think about that for a minute. Do we
4 really want these unwanted children, these
5 children we can't afford, children we can't take
6 care of?

7 You know, I don't know about y'all, but
8 what really inspired me to get in politics was to
9 fight for the unwanted, to give voice to those
10 that can't fight for themselves, that little guy.
11 That's how I was raised. That's what makes me get
12 up here every day to fight for those unwanted
13 people.

14 And if you really think about it, it's
15 the foundation of our Constitution to stand up for
16 the unwanted, those without a voice. It's the
17 foundation of the faith that we all share:
18 fighting for the unwanted, standing up for them.

19 The second moment for me was when I got
20 this book that's on your desk. And if you haven't
21 looked at it yet today, please take a look at it.
22 One of the great things and also maybe the bad
23 things about technology is you can now really see
24 what's going on with a pregnancy. You can see in
25 that womb.

1 And we start looking at valuing, as the
2 courts have said, privacy versus life. I look at
3 these pictures. Please look at these pictures.
4 Look at 20 weeks. And flip the page back. Look
5 at 18 weeks. Look at 16 weeks. Look at 14 weeks.
6 Go on back from there all the way down to the
7 beginning. And you tell me -- tell me that the
8 child at 18 weeks is less valuable than the child
9 at 16 weeks. 14 weeks is less valuable. 12 weeks
10 is less valuable. Go back to 20. Is that child
11 more valuable than the one at 18? I can't answer
12 those questions because, to me, they're all a
13 child.

14 So all I can do is go back to where we
15 say life ends, with the beating of the heart.
16 That's the only place I know that I can draw this
17 line logically.

18 And as I was thinking about this vote
19 today, you know, history a lot of times will tell
20 us that one side of this issue is going to be
21 proven right. One side is going to be proven
22 wrong. Maybe history will say they both had some
23 merit. I don't know where we'll go with this in
24 history.

25 But if I vote yes and I'm right, the

1 numbers say we may have hundreds or thousands more
2 lives in our state every single year, more babies
3 in our state. If I vote yes and I'm wrong and
4 this was a wrong decision, statistics say this
5 bill passes, we'll have hundreds, maybe thousands
6 more lives in our state every year. I can live
7 with that decision either way.

8 Thank you, Mr. President. I'll yield
9 the well.

10 CHAIRMAN DUNCAN: Thank you, Senator.

11 The Chair recognizes the senator from
12 the 43rd to speak to the measure.

13 SENATOR ANDERSON: Thank you,
14 Mr. President.

15 Good afternoon, Senators. I rise today
16 because I know that we are all concerned about
17 ensuring that there is quality healthcare in the
18 state of Georgia.

19 When I'm not serving in the
20 legislation, I am a minister and a life coach.
21 Parishioners come to me often with their life
22 stories. I listen without judgment to the stories
23 of their life, sometimes life that hasn't turned
24 out the way that they expected.

25 Last year a woman told me she'd lost a

1 child. A couple of years ago, my sister-in-law
2 lost her child. Just Tuesday night a woman told
3 me she lost a child, not through abortion but
4 through the lack of maternal healthcare. I grieve
5 each life and each circumstance. It's not mine to
6 judge. It's mine to pray. It's not mine to
7 condemn, but it's mine to extend grace.

8 We can disagree about abortion and
9 agree on what gets us to optimal healthcare
10 outcomes. My colleague spoke about maternal
11 mortality, but I want to shine the light on the
12 topic of infant mortality in the state of Georgia.

13 As heartbreaking as it is to think
14 about losing a child before their first birthday,
15 Georgia ranks in the bottom eight of states. I
16 said, Georgia ranks in the bottom eight as recent
17 as 2018, and 2018 was only three months ago.

18 House Bill 481 will only add to the
19 infant mortality rate in our state. There are
20 three reasons, only three that I'm going to name.
21 One, lack of access to care; two, pregnancies that
22 a woman would have to carry to term that should be
23 terminated for lack of a quality of life that the
24 unborn child will have based on lack of early
25 testing in the pregnancy. And those we cannot

1 predict what circumstances the child would be born
2 in that may place a child in an unsafe or an
3 unhealthy environment. And all of these reasons
4 have a remedy. It's called full Medicaid
5 expansion.

6 For clarification, the infant mortality
7 rate is defined by the number of infant deaths per
8 live births. And as of 2018, Georgia was
9 estimated to have eight deaths per 1,000 live
10 births.

11 Why would I focus on infant mortality
12 when we are talking about banning abortion you may
13 ask? Because disparities persist across states
14 according to reports released by the Center for
15 Disease Control and Preventions National Center
16 For Healthcare statistics.

17 It's simple. Infant mortality is as
18 important of a -- is an indicator of a state's
19 health as it highlights the level of maternal
20 health; the quality of public health, training,
21 and practices; ease of access to healthcare; and a
22 woman or a family's socioeconomic conditions that
23 afford her the ability to provide healthcare
24 options for her family.

25 So as my colleague stated, if we're

1 given -- God gives us choices, and it's not ours
2 to judge but ours to extend grace. Judge not that
3 you not be judged. For with the judgment you
4 judge, you will be judged. And with the measure
5 you use, it will be measured back to you.

6 And why do you look at the speck in
7 your brother's eye but do not consider the plank
8 in your own eye? Or how can you say to your
9 brother, let me remove the speck from your eye
10 and, look, a plank is in your own eye? First,
11 remove the plank from your own eye, and then you
12 will see clearly to remove the speck from your
13 brother's eye.

14 Thank you, Mr. President. I yield the
15 well.

16 CHAIRMAN DUNCAN: Thank you, Senator.

17 The Chair recognizes the senator from
18 the 16th to speak to the measure.

19 SENATOR HARBIN: Thank you,
20 Mr. President.

21 We come here together to speak on
22 somebody who's not said anything, and that's the
23 life of the unborn. Well, he didn't get to weigh
24 in on this.

25 I have six children. All of those have

1 come to C-section. And we've listened to the
2 sonograms, and we've watched the heartbeat. We've
3 watched the child work and move. And then I've
4 sat in the operating room, and I've watched the
5 doctor with his skilled hands take that child out
6 of my wife. And it is life. It is life from the
7 time that heartbeat started to the time that it
8 ended.

9 Who will speak for them? They don't
10 have a representative. They don't have a senator.
11 But we are their representatives and their
12 senators.

13 I did a tour of a neonatal center in
14 our local community. Walked through the unit. It
15 was unreal. Millions of dollars spent. Babies in
16 boxes, if you will, being treated. I said, wow.
17 This is absolutely awesome. I said, what's the
18 youngest? What's the youngest that you've got?

19 The nurse said, 22 weeks.

20 And with 22 weeks, I said, wow. She
21 showed me where that child was. That was the
22 diaper that went on that child. You could hold
23 him in the palm of your hand.

24 Someone chose for me. Someone chose
25 for you. And I believe that we need to choose for

1 those who cannot choose for themselves.

2 Modern medical technology shows us
3 things that are beyond. We can see that child
4 move. We can see that child breathing. We can
5 see a sucking of the thumb.

6 The baby in the womb is a living
7 person. It's his own creation. It has DNA. It
8 has fingerprints. It has a soul. It's a unique
9 human being. It has personhood, and that's what
10 this bill seeks to do.

11 You know, when we have an accident, if
12 someone's injured and there's a child involved
13 that's not been born, there's personhood for that.
14 When there's an attack on a woman and if that
15 child is injured or killed, there's personhood for
16 that. And what this does, it allows personhood.

17 Regardless of the circumstances that
18 surround the conception, whether planned or
19 unplanned, whether wanted or unwanted, the baby is
20 still a person and needs to be protected.

21 Here's a question: If it's not life,
22 why do you have to take it? Why do you have to
23 kill it if it's not life? When we deny that this
24 is personhood of a baby, to take that life is
25 wrong.

1 It's interesting that right now we
2 approach almost 60 million. We've been talking
3 about costs and things of that nature. Our
4 abortion nationally since Roe v Wade was passed
5 was about 60 million people. That's six times the
6 population of Georgia. But imagine what that
7 would be in productivity if they had been allowed
8 the opportunity to live? 60 million. Maybe not
9 all would be successful but a great many of them
10 would be.

11 Now, in some states, we're seeing that
12 abortion is going to infanticide. That's not
13 acceptable. God has placed us in positions for
14 such a time, I believe, as this, to protect those
15 that are vulnerable, those who are defenseless,
16 and those who can't protect themselves. I would
17 ask this: Let Georgia be known as a state where
18 life is cherished and children are loved and they
19 are valued.

20 It's funny, we have many bills that
21 come before this body. And we say it's for the
22 children. This is probably one of those bills
23 that's for the children in a big way that no other
24 will have. It is a major -- it makes a difference
25 on the children to come. I would ask for your

1 support of this bill.

2 Thank you, Mr. President.

3 CHAIRMAN DUNCAN: Thank you, Senator.

4 The Chair recognizes the senator from
5 the 40th to speak to the measure.

6 SENATOR HARRELL: Thank you,
7 Mr. President, Ladies and Gentlemen of the Senate.

8 There's no better way to learn about
9 the electorate than by going door to door
10 canvassing, and I did a lot of that during my
11 campaign. Mostly I just had friendly
12 conversations with neighbors.

13 But there's one story of meeting a
14 woman along the campaign trail that really sticks
15 in my memory. The woman who answered the door,
16 she was about my age. She was a mom, a teacher, a
17 Catholic. And she disclosed to me early on that
18 she had historically supported Republicans.

19 So I told her about my stance on
20 healthcare, on public education, and on traffic
21 congestion. And she had me shake hands with her
22 disabled son. And I shared with her stories about
23 how I had advocated for people with disabilities.

24 I could tell that she wanted to support
25 me, but something was holding her back. She

1 finally said that she had never supported a
2 Democrat before because of the issue of abortion.
3 But recently she didn't feel that she could
4 support Republicans, and there I stood, a
5 Democrat, knocking on her door. So we talked
6 about abortion.

7 I explained to her how if Republicans
8 were in charge, she could likely see some pretty
9 big changes. She shared that what she really
10 wanted was for abortion laws to stay the same.
11 She didn't want increased access, but she also
12 didn't want decreased access. Then she paused.
13 And she said, "Couldn't politicians focus on other
14 issues instead of abortion?", she asked.

15 Yes, I said. I could support that.

16 You see, what I learned through
17 canvassing was that in my district, it's not
18 enough anymore to just simply be pro-guns and
19 pro-life to get traditionally Republican votes.
20 The old rules don't apply anymore. People's views
21 have changed.

22 That mother I spoke with could see how
23 deeply we in Georgia are failing our women and our
24 children. How our infrastructure and limited
25 resources are resulting in the preventable deaths

1 of women who want to be mothers. But I don't see
2 Republicans fully addressing these issues.

3 Most mothers who are on Medicaid lose
4 their Medicaid six months postpartum, but maternal
5 deaths continue to spike in the second six months
6 following childbirth after they've lost their
7 Medicaid.

8 You see, people, the voters, they know
9 the difference between being pro-life and just
10 antiabortion, between truly supporting mothers and
11 babies by providing access to things like
12 healthcare, and punishing women for the decisions
13 they make about their economic situations. People
14 recognize when laws are being pushed that play
15 only to the most extreme views.

16 Now, perhaps that woman that I spoke
17 with might agree with the Benedictine nun Sister
18 Joan Chittister who said, "I do not believe that
19 just because you're opposed to abortion that makes
20 you pro-life. In fact, I think in many cases,
21 your morality is deeply lacking if all you want is
22 a child born but not a child fed, not a child
23 educated, and not a child housed."

24 This nun continues, "And why would I
25 think that you don't? Because you aren't putting

1 your tax dollars there. That's not pro-life," she
2 says. "That's pro-birth."

3 My voters have asked me, why are
4 Republicans not expanding Medicaid when our
5 hospitals need the revenue to keep their doors
6 open? Why are we keeping Medicaid reimbursement
7 rates so low that doctors don't want to
8 participate?

9 Why are we not adequately funding our
10 public schools? Why do we spend less money on
11 people with disabilities than most any other state
12 in the entire nation? Why are Republicans so
13 unconcerned that House Bill 481 could result in
14 even fewer doctors in our state available to
15 deliver babies and care for pregnant woman?

16 Well, I think increasing numbers of
17 Georgia's voters, especially female voters, are
18 beginning to wonder the same thing. And, thank
19 God, women are voting and running for office more
20 than we ever have before.

21 I am here because I answered a call.
22 So is Senator Karinshak. So is Senator Jordan.
23 So is Senator Williams. And come 2020, there
24 will be more. And this bill, this hurtful,
25 insensitive, not-well-thought-out bill is going to

1 help elect more women who will enact policies that
2 prevent women from dying in childbirth and who
3 will ensure that Georgia's children are fed,
4 housed, and educated.

5 Vote yes for this bill, and we're
6 coming for your seats because that's how democracy
7 works.

8 Thank you, Mr. President. I yield the
9 well.

10 CHAIRMAN DUNCAN: Thank you, Senator.

11 The Chair recognizes the senator from
12 the 23rd to speak to the measure.

13 SENATOR STONE: Thank you
14 Mr. President, Colleagues.

15 I hesitate to say anything. The hour's
16 late, and I'll be brief.

17 Abortion is a divisive issue. It
18 divides families. It divides my family. And I
19 don't expect to change anybody's mind today. I
20 just want to explain my vote, why I support this
21 bill.

22 In 1979, I was in law school, and I
23 studied like all the other students Roe versus
24 Wade which had just been decided a few years
25 earlier. I agreed with the decision. It appeared

1 to be well-reasoned.

2 Supreme Court Justice Harry Blackmun
3 wrote the main concurring opinion in Roe. When
4 Justice Blackmun came to campus, I couldn't
5 understand why protestors tried to interrupt him
6 as he spoke to us on law day.

7 But fast-forward to Thanksgiving 1983,
8 my wife and I were celebrating. We had just
9 learned that we were going to have twins, our
10 first children. Their due date was March 31st [as
11 said] of the next year.

12 Two days after Thanksgiving [as said]
13 in the middle of the night, my wife's water broke.
14 We rushed to the emergency room at Phoebe Putney
15 in Albany. The doctors wanted to send us back
16 home for a miscarriage. We refused to leave the
17 hospital. My wife held off going into labor for
18 four weeks while we frantically looked for help.

19 Finally in mid-December, I called our
20 family's doctor back in my hometown of Waynesboro.
21 He told us about the Medical College of Georgia in
22 Augusta and the miracles they were performing.
23 The doctors in Albany discharged my wife with no
24 medical transport. Friends drove us the
25 four-and-a-half-hour trek to Augusta.

1 Two days after arriving at MCG, my wife
2 went into labor. The twin boys were born alive on
3 December 16th. They were over three-and-a-half
4 months premature. Phillip lived for a day. Drew
5 struggled for life. He weighed 680 grams. That's
6 a pound and a half.

7 We were introduced to the neonatal
8 intensive care unit. Miracles were happening all
9 around the ICU. It hit me then that most of the
10 babies struggling for life there could have been
11 legally aborted. Our son Drew was a second
12 trimester baby, a 25-weeker. The law at that time
13 allowed for abortions at that stage.

14 This had a profound effect on me.
15 These preemies were not pounds of flesh or growths
16 or an appendix to be removed but were living
17 beings who deserved life. My view of Roe was
18 completely changed forever. That was 36 years
19 ago.

20 Since then, our understanding of what
21 it means for a baby to be viable has changed.
22 Look at the pictures on your desk. This bill does
23 not go far enough in protecting all unborn babies
24 in my opinion. It is a compromise bill.

25 But we are in a movement for life. We

1 seek to win over the hearts and minds of our
2 people, and I believe that is happening. We're
3 expanding services for expectant mothers. Last
4 year we passed adoption reform. We have
5 strengthened PeachCare for children's health.

6 Some day -- and I hope that day is
7 soon -- I believe our people will choose life.

8 Thank you.

9 CHAIRMAN DUNCAN: Chair recognizes the
10 senator from the 34th to speak to the measure.

11 SENATOR SEAY: Thank you,
12 Mr. President. And I do apologize for trying to
13 get warmed up. You never gave me that nickle's
14 worth of heat I've been begging for.

15 I do rise to talk about my grandkids.
16 Y'all know I like to come to the podium and talk
17 about those grandkids. I've got four. I've got
18 one in college, one that's a senior in middle, and
19 two that's a freshman in middle. Go figure.

20 But I talk about them because without
21 my children, they would not be here. And when my
22 son reminds me, "Ma, you didn't let us get away
23 with a lot of that stuff," I say, "aren't you glad
24 I didn't kill you?" Not literally. Okay?

25 But I make that point because my son

1 45 years ago was a two-pounder. So if you want to
2 turn in your little book, you can turn to see
3 where the first two-pounder is. That was my son.
4 He's now 45 and a handsome fellow. Gave me two
5 grand boys. And I'm so proud of him. I call him
6 my favorite son. Of course, he is my only son.

7 And my daughter, bless her little
8 heart, she blessed me with a son and a daughter,
9 my only grand girl. And she is the prettiest
10 thing on this side of heaven.

11 And I tell you that because listening
12 to all the testimony all afternoon -- I mean all
13 afternoon -- I think everybody's right. Why do I
14 say that? Because everybody has an opportunity to
15 make a choice they and they alone can live with.

16 See, that's what my husband and I
17 raised our children with. When the young man
18 asked us for my daughter's hand in marriage, we
19 politely said, "Should she say yes, that means she
20 plans to live with you. We don't have to."

21 I tell you-all that because I've heard
22 testimonies that gets into religion. And for all
23 of my adult life -- I've been in love with my one
24 husband now 42 years, be 43 in July -- but we
25 don't practice the same religion. I am an Antioch

1 Baptist Church North member all my born days since
2 I was six years old. But my husband, bless his
3 heart, when he came across the Georgia line and
4 picked a real Georgia peach, couldn't go back to
5 Alabama, but he was raised a Methodist. So we
6 have a little bit of a challenge at times, but
7 part of what we do is talk about it.

8 But at the end of the day when we were
9 trying to raise children growing up, we were
10 saying as long as they know we're not going to be
11 here forever, we have to raise them to make
12 choices they can live with.

13 This bill is telling women to make
14 choices they may not can live with, and therein
15 lies the problem for me. This is America, land of
16 the free. By passing this bill, you strip
17 American women of their freedom of choice.

18 Many supporters, lawmakers of this bill
19 have utilized their own personal religion rather
20 than scientific facts to prove the legitimacy of
21 this bill. Choosing to let your own personal
22 religious belief dictate everyone else's ability
23 to have a choice, in my mind, it's called
24 dictatorship and far from the American way. This
25 is not an argument among pro-life or pro-choice

1 but rather an argument against women and their
2 free will to choose.

3 Many women are unaware that they are
4 pregnant at six weeks, meaning for many, this bill
5 will function as a complete abortion ban. In
6 countries where we have banned abortion, abortion
7 still remain a common place. Instead of operating
8 in a safe area such as professional doctors'
9 offices, many women are getting unsafe, illegal,
10 backdoor abortions to protect themselves.

11 Georgia currently has one of the
12 highest mortality rates with African-American
13 women being four to five times more likely to die
14 from -- during pregnancy or childbirth. This bill
15 forces recent rape victims to make their attack
16 public so they are capable of receiving an
17 abortion in simple -- it simply is inhumane and
18 cruel.

19 Atlanta ranks worst in the
20 United States for income inequality which
21 affects women, children, and the LGBTQ community.
22 HB 47 -- I'm sorry. HB 481 would make accessing a
23 potentially life-saving reproductive health
24 service nearly impossible for the most vulnerable
25 Georgians.

1 Protecting children. According to
2 AdoptUSKids, there's approximately 14,000 children
3 in foster care in the state of Georgia. Instead
4 of increasing the number by passing HB 481, how
5 can we help those children find loving, safe homes
6 to prosper in? If you're truly worried about the
7 lives of children, why aren't we attacking those
8 children, 14,000 of them?

9 Georgia does not teach comprehensive
10 sex education. The failure of our education
11 system to teach comprehensive and informative
12 sexual education is what causes many unplanned
13 pregnancies. Instead of stripping women of their
14 right to choose, we can teach children to make
15 better choices. Choices that they will have to
16 live with. Why is it a priority to remove
17 healthcare options instead of supporting education
18 programs that will improve reproductive health
19 outcomes?

20 This bill would force doctors to make
21 an impossible choice, treat their pregnant
22 patients, and risk jail time for endangering the
23 pregnancy or refuse to treat their patients to
24 protect themselves and risk their patient's life
25 instead.

1 What are we doing today? We are
2 sitting here consistently debating, going back and
3 forth, when at the end of the day, we know only a
4 woman can give birth. So why are we making
5 decisions for women to make decisions that they
6 are grown enough to make for themselves? We are
7 not your property. We can decide what we can do
8 with our body. And at the end of the day, if we
9 can live with it, stay out of our business.

10 Thank you, Mr. President. I'll yield
11 the well.

12 CHAIRMAN DUNCAN: Thank you, Senator.

13 The Chair would like to recognize the
14 senator from the 27th to speak to the bill.

15 SENATOR DOLEZAL: Thank you,
16 Mr. President, Members of the Body.

17 I would like to start this evening -- I
18 guess it's this evening -- by saying I'm proud of
19 us. I'm proud of the members of the minority
20 party. I'm proud of the members of the majority
21 party. We have had intelligent debate. We've had
22 a respectful debate. We've had an honest debate.

23 For those of you in the gallery, no
24 matter what side of this issue you're on, there's
25 probably been 100 times throughout the course of

1 the day where you wanted to say something or yell
2 out or clap or cheer, but you've honored the
3 decorum of this chamber. And I'd like to thank
4 you for that as well. That is not lost in us, and
5 we appreciate you joining us in our attempt to
6 discuss this very sensitive, emotional, and
7 critically important issue.

8 This is a personal issue for everybody.
9 We all have our own story. We all have our own
10 values. I'm the father of five. Four of my
11 children are living. One of them I never had the
12 chance to meet. And my wife has had numerous
13 difficult pregnancies. We spent 20 weeks in the
14 hospital before our first. We spent a month in
15 the hospital with our last in the NICU. And so
16 each of us has had different life experiences that
17 informs what we think about this topic.

18 What we would all agree on is that the
19 right to life is a paramount right. If any one of
20 these members of the body were to get upset with
21 me today and extinguish my life, we would all
22 agree that that is an injustice. And we all would
23 agree that they have done something completely
24 un-American and something that goes against the
25 morality of everybody in this room.

1 We agree and we understand that the
2 right to life is a right on which all other rights
3 rest. It is a foundational right. If it goes
4 away, every other thing that we talk about in this
5 room is inconsequential. So really the only
6 question today, the only question today is: When
7 does life begin?

8 A secondary question to that would be:
9 How do you know, or why do you believe that? And
10 then maybe another important questions with those
11 two questions in mind is: What if you're wrong?
12 When does life begin, how do you know, and what if
13 you are wrong?

14 To change the tenor for a quick second,
15 there's a big lottery happening, the Power Ball.
16 It's at \$650 million last I checked; and if y'all
17 don't see me here on Monday, you'll know why. But
18 the odds of winning the lottery are approximately
19 100 -- sorry -- 1 in 300 million.

20 And if any of us won the lottery this
21 weekend, we would say it's a miracle. We would
22 say something as it's astounding. We don't often
23 talk about miracles in our life. And we've become
24 so advanced as a species and as a society that we
25 lose sight of the miraculousness that's in front

1 of us every day.

2 And I don't know how many of us are in
3 this room right now. Probably 200. But I'm
4 looking at 200 miracles. Senator, you are a
5 miracle. Senator, you are a miracle. Sir, you're
6 a miracle. Ma'am, you're a miracle. Each one of
7 us is marked with humanity and marked with dignity
8 and has the mark of exceptionalism stamped into
9 our very DNA, and that's something that we would
10 all agree on.

11 A friend of mine tells it this way, and
12 it's a pretty powerful story of a miracle that
13 happened. And the way -- Mr. Chairman, you're a
14 miracle as well. And the way that it happened for
15 you is the same that it happened for me. One cell
16 from your mom and one cell from your dad met. And
17 there's a little more to it than that, but we
18 don't need to go into it in this body.

19 But just the odds of the cell from
20 your dad making it to where it made it was 1 in
21 250 million. And there's a lot of other miracles
22 that happened before that and a lot of other
23 miracles that happened after that. But when that
24 cell met the other cell, each one of them was
25 carrying 23 chromosomes. And they met, and they

1 joined, and they formed a single cell that became
2 what would become you.

3 And there were four nucleotides that
4 began a work that was a tremendous work. They set
5 out, and they wrote your DNA. Your DNA, Senator,
6 is 3 billion characters long. There's never been
7 one like it, and there never will be another one
8 like it.

9 If I were to read, Senator, every
10 character that's in your DNA and I read one
11 character at a time for -- one character per
12 second, I would die at this podium doing it
13 because it would take me 90 years. There's never
14 been anybody like you, and there never will be
15 anybody like you.

16 Your DNA determines your hair, your
17 skin, your build. It determines what your height
18 might be. It determines what color your eyes are.
19 And along with your DNA, it began to stamp out the
20 uniqueness of you to determine what your
21 fingerprints were going to be, determine who your
22 children -- what they would look like.

23 And you began to form something in the
24 womb that had its own heartbeat, its own
25 circulatory system, it's own fingerprints.

1 Everything about you was unique. The only
2 difference between the you that was then and the
3 you that I'm looking at today, the only
4 difference, is nourishment and time.

5 So when we go back to the foundational
6 questions of when does life begin and how do we
7 know it and what if we're wrong, I believe that
8 the only fair conclusion -- if we want to honor
9 the foundational right of life, the only
10 conclusion is that we need to honor life at
11 conception, and that we need to honor life in the
12 womb the same way that we honor life here on
13 earth.

14 Because I am not smart enough and I
15 don't know that anybody here is smart enough to
16 draw a singular line in the sand and say in 19
17 days and 6 weeks, you are not life; but at 20
18 days -- 20 weeks and zero days, you have life.

19 When you are beginning the process --
20 when my wife was beginning the process of giving
21 birth, my daughter did not have rights. But the
22 minute that she came out of the birth canal, all
23 of a sudden she had rights. It's too confusing
24 for me to figure that out. I think it's too risky
25 for us to begin to try to figure that out.

1 Article I, Paragraph II of the Georgia
2 Constitution has been referenced today. I'm going
3 to read it again for us, and it says, The
4 "Protection to person and property is the
5 paramount duty of government and [it] shall be
6 impartial and complete. No person shall be denied
7 the equal protection of the laws."

8 So what this bill does -- it's been
9 discussed already today. It is a personhood bill.
10 It establishes the rights of people in the womb.
11 And there's been conversation today about maybe we
12 should do this and maybe we should do that. But
13 it is the job of legislators to make that
14 decision, and it's a hard decision.

15 For those of you that disagree with me,
16 I don't hold it against you. I think you've made
17 some very compelling arguments today. I think you
18 made arguments from the heart. I think you made
19 arguments from the mind. And I think you've
20 adopted an intellectual position that you believe
21 is correct, and I respect that.

22 There's been a lot of talk about
23 maternal mortality rates, and Georgia does have a
24 problem. We lose -- depending on the year that we
25 look at, we lose between 40 and 60 mothers either

1 in the process of being pregnant, the process of
2 giving birth, or in the process a few days after
3 giving birth. And we had a scary situation in my
4 own experience with my wife where it got hairy
5 there for a minute.

6 And I would like just to begin to paint
7 a picture, and I want to paint a picture with a
8 gumball. And if we can -- I know this is a little
9 difficult to do, but if we could cram in our minds
10 every ounce of humanity and every ounce of love
11 and every ounce of dignity that those 40 or 50 or
12 60 women have, if we could let a gumball
13 illustrate them.

14 They were mothers. They were sisters.
15 They were daughters. They were entrepreneurs.
16 They're scientists. They're musicians. They're
17 politicians. They had dreams. They had fears.
18 There's a lot that we're going to try to capture
19 in this gumball.

20 And this body has dedicated a
21 tremendous amount of time, intellectual resources,
22 and financial resources into recognizing,
23 honoring, and trying to protect the dignity of
24 every woman that we've represented with this
25 gumball.

1 The Senator from the 45th, wherever she
2 is, has done a fantastic job of leading the charge
3 in this issue. I'd like to thank her for that and
4 for every one of you that have been a part of
5 that. It's something that we take very seriously.
6 If you'll give me a second.

7 So if we can --

8 CHAIRMAN DUNCAN: Senator, please stand
9 at ease for a moment.

10 For what purpose does the senator from
11 the 48th rise?

12 SENATOR KARINSHAK: Point of
13 parliamentary inquiry.

14 CHAIRMAN DUNCAN: State your inquiry.

15 SENATOR KARINSHAK: I refer the
16 President to Rule 8-1.10, usage of audio/video
17 equipment, visual aids, Section (b), which I have
18 brought to your attention. And I ask for a ruling
19 on that, please, sir.

20 CHAIRMAN DUNCAN: It's the
21 interpretation of the Chair that 8-1.10(b),
22 sentence number two, "All visual aids shall be
23 consistent with the dignity and decorum of the
24 Senate." If this visual aid does not match the
25 decorum of the Senate, I will call it out of

1 order.

2 Thank you very much.

3 SENATOR KARINSHAK: (Inaudible.)

4 SENATOR DOLEZAL: Thank you,
5 Mr. President.

6 So we have here something that we would
7 all hold very dear. Something that we would all
8 say is worth protection. And if we come to the
9 conclusion after asking those three very important
10 questions -- when does life begin, how do we know,
11 and what if we're wrong -- and if we come to the
12 conclusion at that point that life begins in the
13 womb, then I would like to bring another
14 illustration to the table.

15 And, Senator from the 45th, if you
16 don't mind assisting me with this.

17 SENATOR KARINSHAK: Point of
18 parliamentary inquiry.

19 CHAIRMAN DUNCAN: Senator, please stand
20 at ease.

21 For what purpose does the senator from
22 the 48th rise?

23 SENATOR KARINSHAK: Mr. President, it
24 was brought to my attention this morning that we
25 can't have more than one senator at the well.

1 And, again, my continuing objection to
2 use of the visual aids that are not graphs and
3 charts and consistent with the dignity and decorum
4 of the Senate. Continuing objection.

5 CHAIRMAN DUNCAN: Thank you. So
6 recognized.

7 SENATOR DOLEZAL: Thank you,
8 Mr. President.

9 If I believe that this is worth
10 protection, that this is worth expenditure of our
11 intellectual resources, our financial resources,
12 and if I believe that this is tragic, I also have
13 to come to the conclusion that this is worthy of
14 our protection, our intellectual resources, our
15 financial resources and everything else that we
16 would say that we hold dear here.

17 I know this is a tough issue. It's a
18 difficult conversation. And ultimately it is
19 something that we all have to decide for
20 ourselves. But for me, I have come to the
21 conclusion -- after science has told us more and
22 more what happens in the womb, after I have
23 studied what the Constitution tells us is the
24 paramount right, I have come to the conclusion
25 that this is worth protection as well.

1 Thank you, Mr. President. I yield the
2 well.

3 CHAIRMAN DUNCAN: Thank you, Senator.

4 The Chair recognizes the senator from
5 the 26th to speak to the measure.

6 SENATOR LUCAS: Thank you,
7 Mr. President and Ladies and Gentlemen of the
8 Senate.

9 I guess we've been here about five
10 hours. I look around. 17 years ago, exactly
11 17 years ago, Republicans took over the General
12 Assembly. And there was a wedge issue.

13 A marriage is between a man and a
14 woman. A marriage is between a man and a woman.
15 It went through the churches, all through
16 communities, and this General Assembly changed.
17 It was done in the entire Southeast.

18 Here we have another wedge issue. You
19 know, I like songs. Music has always been
20 something that tells me what has gone on and
21 what's going on. You know, if Marvin Gay was here
22 today, he would talk about What's Going On. If
23 Bobby Bland was still here today, he would talk
24 about There's a Rat in My House. If Marvin Cease
25 was still living, he would be talking about -- he

1 would be talking about Starting All Over Again.

2 If Teddy Pendergrass was here, he would be talking
3 about Wake Up Everybody. "There's no more
4 sleeping in bed. There's no more backwards
5 thinking. Only time for thinking ahead."

6 Now, I've heard -- and I guess it's
7 emotional to a lot of folks. First of all, I
8 don't know a man that's sitting in here that can
9 have a baby, but we're going to dictate to women
10 what they can do with their body. How would you
11 like for them to start dictating what we can do
12 with our body? But yet we can talk about these
13 things.

14 I've heard you talk about getting
15 married. Well, I got married when I was 19.
16 Didn't abort. Took her to school. Finished on
17 time in four years. All my kids -- all my boys
18 played professional football. Daughter married a
19 professional football player. So I'm the father
20 of four, grandfather of 16, and great grandfather
21 of three with some more on the way.

22 And here we are talking about a wedge
23 issue. Now, many of you have been called
24 downstairs, and your arm about to fall off. You
25 need a sling to put it back in place. It passed

1 by what? Three votes in the House.

2 I've been here a long time, and I guess
3 I've seen a lot of things. I've seen folks come,
4 and I've seen them go. And after this vote today,
5 there are going to be some more that come and go.
6 It's time that we understand that women have the
7 right to make their choice.

8 Now, can I be mad with them if they
9 make the choice that I don't like? I guess I make
10 some choices that they don't like either. But we
11 are here today to talk about what they can and
12 can't do with their body, with their body. It is
13 insane.

14 If you look at Washington, Judge
15 Kavanaugh is on the Supreme Court, about this same
16 very issue, trying to get it to the Supreme Court.
17 But a lot of you today don't want to vote for this
18 bill. You don't want to go home and face the "me
19 too" movement. But somebody has pulled you, and
20 somebody's got your arm bent behind your back.

21 I don't know if some of you are going
22 to take a walk or you're going to go down the pin
23 row path, and that's on you. We're going to
24 disagree. But today we ought not be the ones to
25 tell women what they can do with their body.

1 And when you look at that bill, how do
2 you determine in the first semester who baby it
3 is? How do you determine the father? You know,
4 we normally determine the father by what they call
5 legitimization. You go to a hospital, draw some
6 blood between the two parents, and then determine
7 about the, I guess, chromosomes or whatever if
8 it's your baby or not. And it usually come back
9 99 percent that it's yours or it's not yours.

10 So I just wanted to say this because
11 I've seen all the men walk down here and do all
12 the talking about what all that happen with a
13 woman body. Remember, you know, that shoe could
14 get on the other foot, and they will be coming
15 down here talking about what the men can do with
16 their body. So think about it.

17 CHAIRMAN DUNCAN: Thank you, Senator.

18 I'd like to recognize the senator from
19 the 6th to close debate on the minority side and
20 speak to the minority report.

21 SENATOR JORDAN: Senator Lucas is a
22 hard act to follow, and I'm going to strike a
23 little bit different tone because I am a woman,
24 and I am here to speak for myself and for all the
25 other women in this chamber.

1 You know, we didn't seek this fight. I
2 didn't run for office to fight the culture wars
3 around choice. Our state currently has some of
4 the most restrictive abortion laws in this
5 country, yet abortion is safe and legal. And this
6 uneasy truce that we've had on this issue in
7 recent years should have held. But our current
8 governor who claimed to want to move Georgia
9 forward is pushing this cruel, punitive, and
10 regressive bill that's only going to hold us back.

11 You know, I don't doubt the conviction
12 of some in this chamber. However, a deeply held
13 conviction does not allow one to adopt a view
14 counter to scientific and legal fact.

15 And let's talk about facts. Currently
16 Georgia's law, abortion law, outlaws abortion
17 after 20 weeks' gestational age; this, despite a
18 fact that a baby born at 20 weeks cannot survive
19 outside of a woman's uterus. And, yes, I said
20 uterus, not womb.

21 Periviability, also referred to as the
22 limit of viability, is defined as the stage of
23 fetal maturity that ensures a reasonable chance of
24 extrauterine survival. With active intervention,
25 most infants born at 26 weeks and above at this

1 point in time have a high likelihood of survival,
2 and virtually none below 22 weeks will survive.

3 All of this is consistent with the stories we've
4 heard today.

5 So this is the current state of the
6 law. No abortions over 20 weeks. This is the
7 current state. So how does this bill change the
8 law? It will now effectively ban all abortions
9 before an embryo or fetus is viable outside of a
10 uterus and before a woman or a girl knows that
11 she's pregnant.

12 We keep talking about six weeks
13 pregnant. You know what that means? That means
14 that maybe the woman is about one to two weeks
15 late after an expected menstrual period. And,
16 yes, I am talking about stuff I don't want to talk
17 about in this chamber. But let me tell you
18 something. If you're going to get into the most
19 private areas where women are, then you're going
20 to have to listen to it.

21 This has been a legal line in the sand
22 since Roe v Wade and Casey in every single
23 decision to come out of the United States Supreme
24 Court over the last 45 years: Decisions that
25 sought to balance the fundamental rights of women

1 with those of the state in protecting potential
2 lives once that potential life reaches the point
3 of medical viability.

4 You know, throughout this process, I've
5 been floored by the scientific inaccuracies
6 pedaled by the radical interest pushing this bill.
7 And I'm going to say it: This whole idea -- I've
8 heard the same thing over and over and over. And
9 I was like, man. That's interesting. Much of
10 what's been said today is part of this whole
11 packet that was put out by National Right to Life,
12 about what to say, how to frame your message. I
13 could go line by line and pick out exactly what
14 some of the speakers were saying.

15 The willingness to completely disregard
16 the physicians in this state -- the physicians in
17 this state and the complete lack of respect for
18 and trust in women, mothers. Mothers.

19 First, let's start with the science.
20 You're putting into law that the State of Georgia
21 now legally recognizes all fertilized eggs,
22 zygotes, embryos as natural persons in this state
23 entitled to the rights and benefits of any other
24 person. Who knows what a zygote is?

25 Counter to all medical experts, the law

1 also attempts to establish that a zygote, an
2 embryo, a fertilized egg at 5.5 weeks has a
3 beating heart. This simply is not true. At the
4 earliest stages of pregnancy, certain embryonic
5 cardiac activity can be detected with a
6 transvaginal ultrasound. I don't think any of the
7 men that spoke today have ever had a transvaginal
8 ultrasound. I have, and it is not pleasant.

9 Every physician has said that the fetal
10 cardiac activity present early in pregnancies is
11 not a beating heart. And no matter how many times
12 you say it, no matter what you call this bill, it
13 does not make it so even in these precarious times
14 where people think they can just repeat stuff even
15 though they know that it's inaccurate.

16 And if, in fact, this was nothing more
17 than political pandering, you could not have
18 exceptions to the abortion ban based on who
19 supplied the egg and who supplied the sperm to
20 create the embryo. You-all know that.

21 Cruelest of all, to demand that a
22 victim of incest file a police report before being
23 able to terminate a pregnancy at its earliest
24 stages is horrifying or that of a victim of rape.
25 Each of you sits here in judgment of a situation

1 that you could never comprehend and dictate what a
2 women can and cannot do with her body, with her
3 life.

4 But let me tell you something. This
5 bill takes it much, much further. For the first
6 time, this state will make Georgia women
7 criminals, criminals for seeking basic
8 reproductive care. This bill subjects both the
9 doctor and the woman to prosecution and
10 imprisonment for up to ten years. Any woman who
11 suffers a miscarriage could be subject to scrutiny
12 regarding whether or not she intentionally acted
13 to cause that miscarriage.

14 She would be at risk of criminal
15 indictment for virtually any perceived
16 self-destructive behavior during pregnancy which
17 could cause miscarriage; to wit, smoking,
18 drinking, using drugs, using legal medications,
19 driving while under the influence, or any other
20 dangerous or reckless conduct. And taken to its
21 extreme, prohibitions during pregnancy could also
22 include the failure act such as the failure to
23 secure adequate prenatal medical care.

24 Any issue of whether a woman who has
25 participated in this risky behavior intended to

1 cause her subsequent miscarriage, as a lawyer, I
2 can tell you it would be a jury question. In
3 other words, a pregnant woman who suffers a
4 miscarriage could be subjected to criminal
5 investigation, indictment, prosecution long before
6 a jury is asked to determine whether she
7 intentionally did anything to cause the loss.

8 And if you think that everything I just
9 said was exaggeration or hyperbole, I read it
10 directly from a Georgia court case where the
11 implications of prosecuting women for seeking
12 abortions was laid out in no uncertain terms.

13 Today Senate Republicans ignore
14 precedent, medical experts, women, and the ob-gyns
15 in this state, the very physicians whose whole job
16 it is to deliver healthy babies and to keep women
17 healthy. If you want more healthy women and
18 babies, if you want to care for women and babies,
19 if you value life truly, you would listen to the
20 people who dedicate their lives. This is what
21 they do.

22 But instead of that, not only are they
23 ignored, but they have been threatened and told to
24 stand down or face cuts to -- let me be clear
25 because we heard it in the beginning -- cuts to

1 maternal health funding, family planning funding,
2 rural birth centers. All the things that we said
3 we were funding, yeah, there have been threats.

4 You know what? Voters have a right to
5 know the lengths to which members of this body
6 will go for politics. And let me be clear, that
7 is what a woman has a right to know. This is
8 cowardice.

9 Let me tell you how it feels to be a
10 woman and a mother of a daughter whose
11 reproductive health this body now claims as its
12 own. My husband and I were talking about this
13 bill the other night, and he told me that he
14 didn't want me to share anything personal because
15 no one was entitled to that information. And I
16 have always fiercely guarded my privacy.

17 But let me be clear. The deepest
18 darkest times of my life have occurred in the
19 presence of and with my physician. You see, I've
20 been pregnant ten times. I have seen what many of
21 you in here have called a heartbeat ten times, but
22 I have only given birth twice.

23 I have lost seven pregnancies in
24 varying points of time before 20 weeks and one
25 after five months. Her name was Juliette. I have

1 laid on the cold examination table while a doctor
2 desperately looked for a heartbeat. I have been
3 escorted out the back door of my physician's
4 office so as not to upset the other pregnant women
5 in the waiting area, my grief on full display and
6 uncontainable. I have been on my knees time after
7 time in prayer to my God about my losses. I have
8 loved each and every single one of those potential
9 lives, and my husband and I have grieved each
10 passing.

11 But no matter my faith, my beliefs, my
12 losses, I have never ever strayed from the basic
13 principle that each woman, each woman must be able
14 to make her decisions in consultation with her God
15 and her family.

16 It is not for the government or the men
17 of this chamber to insert itself in the most
18 personal, private, and wrenching decisions that we
19 make every single day. And that's not some
20 smiley, happy statement that's been focus grouped.
21 That is the reality of our lives.

22 God chose women alone to be the
23 fiduciaries of life, not government, not this
24 body. My experience wasn't about abortion, but it
25 is what's at stake here. It's about the

1 fundamental right to privacy of women.

2 Matters such as a woman's ability to
3 decide whether to terminate a pregnancy involve
4 the most intimate and personal decisions a person
5 can make. At the heart of liberty is the right to
6 define one's own concept of existence, of meaning,
7 of the universe, and of the mystery of human life.
8 The mother who carries a child to term is subject
9 to anxieties, physical constraints, to pain that
10 only she must bear.

11 And someone came up and said, who
12 speaks, who speaks for the unborn? Who represents
13 the unborn? I will tell you their mothers do.

14 What gives this body the right to
15 substitute its judgment of that, of the entire
16 medical community of this state? What gives this
17 body the right to substitute its choices for those
18 of the women who will no doubt bear the scars, the
19 consequences, and who will face death and now
20 likely prison?

21 Who gives this body the right to
22 substitute its will to override the Constitution
23 of the United States? Each of us took an oath to
24 protect, to uphold the Constitution, to heed
25 established constitutional law. This oath should

1 mean something because without the rule of law, we
2 have nothing.

3 And let me be clear. If you shirk the
4 most basic duties you have to protect the
5 fundamental rights of women today, then no doubt
6 the women of this state will reclaim their rights
7 after they have claimed your seats.

8 I yield the well.

9 CHAIRMAN DUNCAN: Thank you, Senator.

10 SENATOR KARINSHAK: Point of
11 parliamentary inquiry.

12 CHAIRMAN DUNCAN: For what purpose does
13 the senator from the 48th rise?

14 SENATOR KARINSHAK: Point of
15 parliamentary inquiry.

16 CHAIRMAN DUNCAN: State your inquiry.

17 SENATOR KARINSHAK: I note for the
18 record that during today's debate when the members
19 of the opposite party were at the well, I and
20 others pushed our buttons to speak at all times
21 and were not recognized.

22 And I would like to supplement the
23 record with the questions I would have asked had I
24 been given the opportunity.

25 CHAIRMAN DUNCAN: It's the Chair's

1 opinion that each of the senators have yielded the
2 well and did not take questions. Thank you.

3 At this time, I'd like to recognize the
4 senator from the 45th to close debate as the
5 sponsor of the legislation.

6 SENATOR UNTERMAN: Ladies and Gentlemen
7 of the Senate, thank you very much for this debate
8 on a divisive issue and the respectfulness shown
9 by all of the viewpoints.

10 The Senate -- the Senate has always
11 risen to the occasion. And I know we have some
12 House members in here. But I'm so proud of us.

13 It is important for every voice to be
14 heard. That's why I am speaking now and am joined
15 by many of my colleagues with the same passionate
16 convictions. We are speaking for those without a
17 voice box. They can't be out there in the
18 hallowed hallways shouting, the shouting that we
19 hear now.

20 We are speaking for them. We speak for
21 the unborn child. We have awakened a sleeping
22 giant watching New York and Virginia state laws
23 change. The silent majority is now awake, alive,
24 and ready to protect the unborn.

25 I ask you to join me in voting yes on

1 House Bill 481 and speaking for the children of
2 Georgia.

3 I yield the well. Thank you very much.

4 CHAIRMAN DUNCAN: Thank you, Senator.

5 SENATOR KARINSHAK: Point of
6 parliamentary inquiry.

7 CHAIRMAN DUNCAN: For what purpose does
8 the senator for the 48th rise?

9 SENATOR KARINSHAK: Point of
10 parliamentary inquiry.

11 CHAIRMAN DUNCAN: State your inquiry.

12 SENATOR KARINSHAK: I would like to
13 correct the record. There has not been any
14 shouting in this chamber. No one has shouted as
15 the senator stated in her closing remarks.

16 CHAIRMAN DUNCAN: So noted.

17 The question is on the adoption of the
18 Committee substitute. Is there objection to the
19 adoption of the Committee substitute?

20 The Chair hears none, and the Committee
21 substitute is adopted.

22 Is there objection to agreeing to the
23 report of the Committee which is favorable to the
24 passage of the bill?

25 The Chair hears none. The report of

1 the Committee is agreed to.

2 Shall the main question be now put?

3 Are there any objections?

4 The Chair hears none, and the main
5 question is ordered.

6 Shall this bill now pass by substitute?

7 The question is on the passage of the bill by
8 substitute.

9 All those in favor of the bill will
10 vote yea. Opposed, nay.

11 The secretary will unlock the machine.

12 (Secretary unlocked the machine.)

13 CHAIRMAN DUNCAN: On the passage of the
14 bill, the yeas are 34. The nays are 18.

15 This bill having received the requisite
16 constitutional majority is therefore passed by
17 substitute.

18 The Chair would like to recognize the
19 majority leader.

20 SENATOR DUGAN: Mr. President, I move
21 that the Senate stand adjourned until 10:00 on
22 Monday, 25, March.

23 CHAIRMAN DUNCAN: Will the secretary
24 read the announcements.

25 MR. SECRETARY: Mr. President, there is

1 a Rules Committee meeting in 450 of the Capitol
2 upon adjournment.

3 That concludes the order.

4 CHAIRMAN DUNCAN: Any senators wish to
5 make an announcement?

6 The majority leader has moved that the
7 Senate stand adjourned until 10:00 a.m. on Monday,
8 March 25th, 2019.

9 All those in favor of the motion
10 signify by saying aye.

11 Opposed, no.

12 CHAIRMAN DUNCAN: The ayes clearly have
13 it, and the Senate stands adjourned.

14 Have a great weekend.

15 (Proceedings adjourned.)
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COURT REPORTER CERTIFICATE

STATE OF GEORGIA:

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I hereby certify that the foregoing transcript was taken down from electronic media, as stated in the caption, and the proceedings were reduced to typewriting under my direction and control; that the foregoing pages represent a true, complete, and correct transcript of the evidence given upon said hearing; and I further certify that I am not of kin or counsel to the parties in the case; am not in the employ of counsel for any of said parties; nor am I in any way interested in the result of said case.

This, the 12th day of June, 2019.



Elizabeth R. Hollingsworth, CCR B-1319